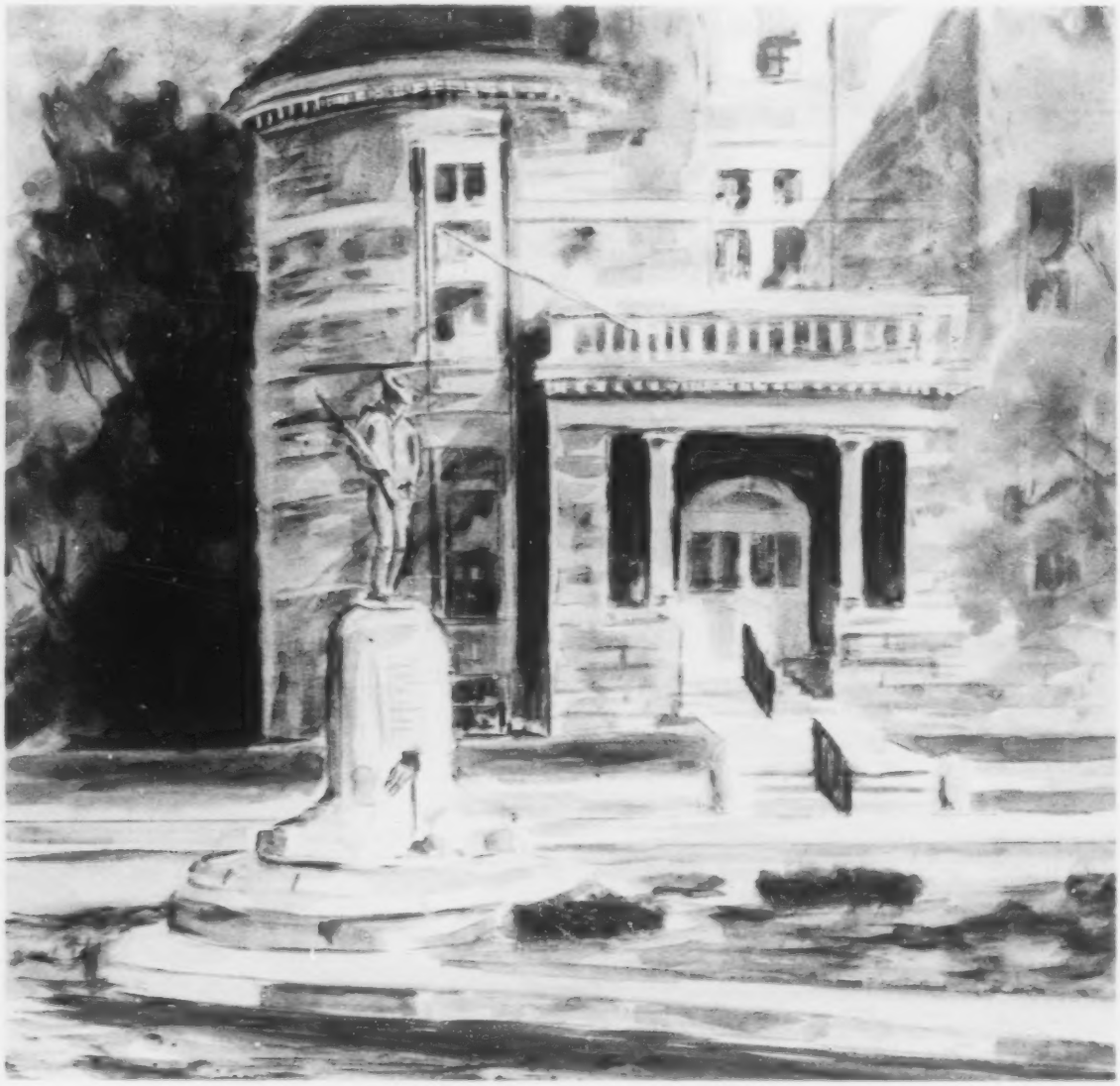
STATE OF RHODE ISLAND

REPORT ON THE JUDICIARY



1987

TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY:

Chief Justice Thomas F. Fay

As Chief Justice my overall goal is to make the courts more responsive to the needs of those they serve. This goal is shared by the judges, administrators and court staff, and to achieve it the courts must focus on the following: increasing the public's understanding of the system, improving programs to assist victims and, most important, eliminating delays. During 1987, with the support of the other chief judges, the courts have made advances in all three of these areas. The following are some of the highlights.

All of the courts have made progress in addressing delay this year. The Superior Court succeeded in reducing the criminal caseload in both Providence and Kent Counties and also in reducing the civil caseload in Providence County. The Family Court increased dispositions for both juvenile and domestic cases, and as a result, the number of juvenile cases pending over 90 days dropped compared to 1986. Also, even though the District Court experienced a record number of filings and two District Court judges were assigned to the Superior Court for most of the year, this court succeeded in increasing dispositions in all areas. Finally, the Supreme Court continued to reduce its caseload and began the new year with the lowest inventory of cases since 1974. The Supreme Court now has the distinction of being one of the most current appellate courts in the nation.

In addition to these efforts the courts have also taken a long-range look at how to improve the processing of cases. The Commission on the Future of the Rhode Island Judicial System was named this year and is charged with determining what changes are needed to streamline the flow of cases.

During 1987 the courts also initiated efforts to assist victims. I established the Domestic Violence Task Force in March to evaluate the present handling of domestic violence complaints and recommend changes that will ensure adequate protection and sensitive treatment of victims of this violence. Also, the Committee on Women in the Courts, which was commissioned by my predecessor, submitted a final report with thirty recommendations to address gender bias in the judiciary's treatment of women victims, as well as women litigants, attorneys and court employees. A follow-up committee has been appointed to implement these recommendations.

To address the need to educate the public about the judicial process, a public information office was established this year. This office is organizing a speakers' bureau and developing videos for local schools and public television, among other projects.

Finally, work has continued to complete the rehabilitation of court facilities, and ground has been broken for a new courthouse in Washington County.

However, despite our progress, we still face tremendous challenges. Since no one person, court, or agency can bring about change alone, I am looking forward to continued cooperation between the courts, the other justice system agencies, and the Legislative and Executive branches of government to make our judicial system a model for the nation.

Sincerely,

Thomas F. Fay

Thomas F. Fay
Chief Justice
Supreme Court

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This report covers calendar year 1987

Pursuant to Chapter 8-15 of the Rhode Island General Laws as amended by Chapter 247 of the 1975 Public Laws, this report was prepared by the:

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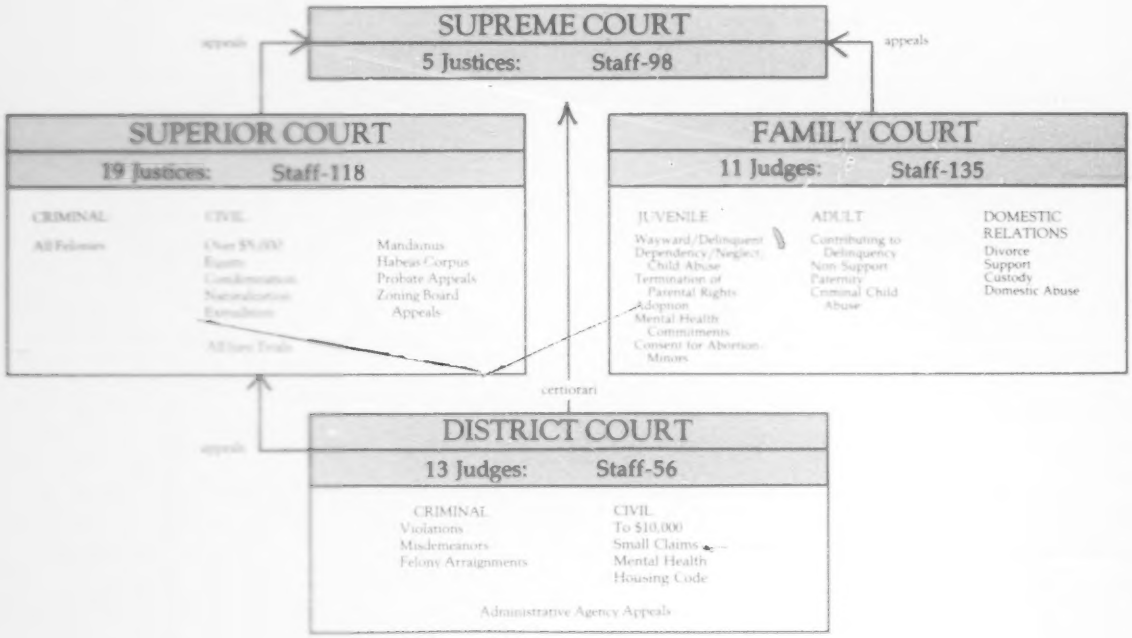
RHODE ISLAND
COURT STRUCTURE

Rhode Island has a unified court system composed of four statewide courts: the District and Family Courts are trial courts of special jurisdiction, the Superior Court is the general trial court, and the Supreme Court is the court of review.

The entire system in Rhode Island is state-funded with the exception of Probate Courts, which are the responsibility of cities and towns, and the Municipal Courts, which are local courts of limited jurisdiction. The Chief Justice of the Supreme Court is the executive head of the state court system and has authority over the judicial budget. The Chief Justice appoints a state court administrator and an administrative staff to handle budgetary and general administrative functions. Each court has responsibility over its own operations and has a chief judge who appoints an administrator to handle internal court management.



Staffing and jurisdictional organization of the Rhode Island Courts.

SUPREME COURT

The Supreme Court has final advisory and appellate jurisdiction on questions of law and equity, and it also has supervisory powers over the other state courts. In addition, the Supreme Court has general advisory responsibility to both the Legislative and Executive branches of the state government concerning the constitutionality of legislation. Another responsibility of the Supreme Court is the regulation of admission to the Bar and the discipline of its members.

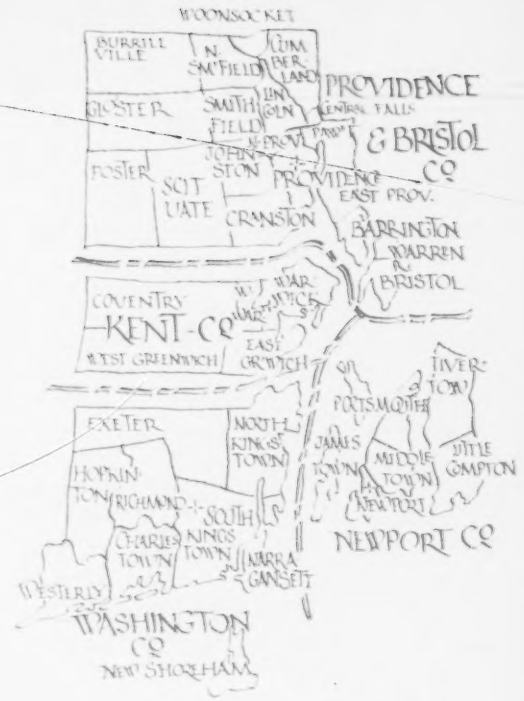
The Chief Justice of the Supreme Court also serves as the executive head of the state court system. The Chief Justice appoints the State Court Administrator and the staff of the Administrative Office of the State Courts. This office performs

personnel, fiscal, and purchasing functions for the state court system. In addition, the Administrative Office serves a wide range of management functions, including the development and operation of automated information systems for all courts; long-range planning; the collection, analysis, and reporting of information on court caseloads and operations; the development and implementation of management improvement projects in specified areas; and the supervision of facilities.

The State Law Library is also under the direction of the Supreme Court. The library's primary function is to provide reference materials and research services for the judges and staff of the courts. However, it also serves the general community as the only comprehensive law library in the state.

SUPERIOR COURT

The Superior Court is the trial court of general jurisdiction. Civil matters concerning claims in excess of $5,000 and all equity proceedings are heard in this court. The Superior Court also has original jurisdiction over all crimes and offenses except as otherwise provided by law, and thus all indictments by grand juries and informations charged by the Department of Attorney General are returned there. The Superior Court has appellate jurisdiction from decisions of local probate and municipal courts. Also, except as specifically provided by statute, criminal and civil cases tried in the District Court are brought to the Superior Court on appeal for a trial de novo. In addition, there are numerous appeals and statutory proceedings, such as redevelopment, land condemnation cases, zoning appeals, and enforcement of arbitrators' awards, which are under the jurisdiction of the Superior Court. The Superior Court also has concurrent jurisdiction with the Supreme Court over writs of habeas corpus, mandamus, and certain other prerogative writs. Appeals from the Superior Court are heard by the Supreme Court.



Map of the State of Rhode Island showing the Superior and Family Courts

FAMILY COURT

The Family Court was created to focus special attention on individual and social problems concerning families and children. Consequently, its goals are to assist, protect, and if possible, restore families whose unity or well-being is being threatened. This court is also charged with assuring that children within its jurisdiction receive the care, guidance, and control conducive to their welfare and the best interests of the state. Additionally, if children are removed from the control of their parents, the court seeks to secure for them care equivalent to that which their parents should have given them.

Reflecting these specific goals, the Family Court has jurisdiction to hear and determine all petitions for divorce and any motions in conjunction with divorce proceedings, such as motions relating to the distribution of property, alimony, support, and the custody of children. It

also hears petitions for separate maintenance, and complaints regarding support for parents and children. The Family Court also has jurisdiction over those matters relating to delinquent, wayward, dependent, neglected, abused or mentally defective or mentally disordered children. It also has jurisdiction over adoptions, child marriages, paternity proceedings, and a number of other matters involving domestic relations and juveniles.

Appeals from decisions of the Family Court are taken directly to the state Supreme Court.

DISTRICT COURT

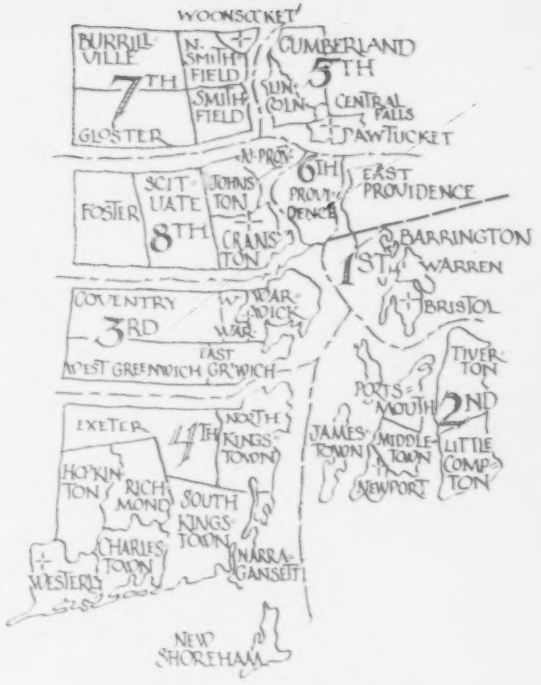
Most people who come before courts in this state have contact initially with the District Court. Thus, the District Court has been divided into eight divisions to give the people of the state easy geographic access to the court system.

The jurisdiction of the District Court includes small claims that can be brought without a lawyer for amounts under $1,500 and actions at law concerning claims of no more than $5,000. In 1981 legislation also gave the District Court concurrent jurisdiction with the Superior Court for actions at law between $5,000 and $10,000 with transfer to the Superior Court available upon demand of either party. This court also has jurisdiction over violations of municipal ordinances or regulations.

The District Court also has original jurisdiction over all misdemeanors where the right to a jury trial in the first instance has been waived. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court.

Unlike many limited jurisdiction courts, the Rhode Island District Court does not handle traffic violations, except for a very few of the most serious offenses.

Appeals from District Court decisions in both civil and criminal cases go to the Superior Court for trial de novo. In actual practice, this right to a new trial is seldom used, and District Court dispositions are



Map of the State of Rhode Island showing the Divisions of the District Court

final in 96.7% of all criminal cases and 98.5% of all civil cases. An additional category of minor offense, called violations, was created by the Legislature in 1976. Decisions of the District Court on violation cases are final and subject to review only on writ of certiorari to the Supreme Court.

Since October 1976, the District Court has had jurisdiction over hearings on involuntary hospitalization under the mental health, drug abuse, and alcoholism laws. The District Court also has jurisdiction to hear appeals from the adjudicatory decisions of the state tax administrator and several regulatory agencies and boards. The court also has the power to order compliance with the subpoenas and rulings of the same agencies and boards. In 1977, this court's jurisdiction was again increased to include violations of state and local housing codes. District Court decisions in all these matters are only subject to review by the Supreme Court.

1987 IN THE RHODE ISLAND COURTS

JUDICIAL BUDGET COMPARISON

After reaching a recent year low in Fiscal Year '83 (1.35%), the judicial share of the state budget has continued to show modest increases. Actual expenditures for F.Y. '87 reflected an increase in the judicial share to 1.42%, although the budgeted figure was 1.38%. Greater demands being placed on the judiciary and substantial initiatives presently underway emphasize the need to continue an increased financial commitment to the judiciary.

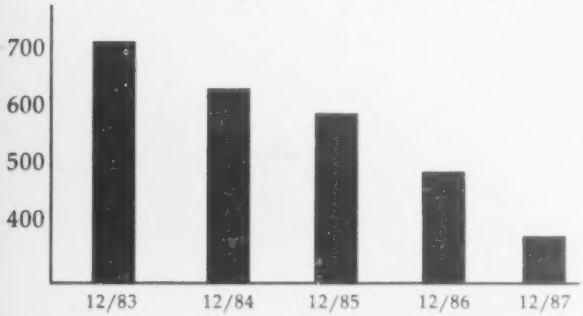
	FY83	FY84	FY85	FY86	FY87	FY88*
STATE BUDGET	1,170,913,932	1,241,831,167	1,341,554,517	1,435,709,612	1,529,187,981	1,736,958,431
Increase	36,373,312	70,917,235	99,723,350	94,155,095	93,478,369	207,770,450
JUDICIAL BUDGET	15,833,435	17,041,254	18,773,562	19,787,183	21,767,862	24,508,564
Increase	(332,544)	1,207,819	1,732,308	1,013,621	1,796,648	2,740,702
JUDICIAL SHARE	1.35%	1.37%	1.39%	1.38%	1.42%	1.41%

*F.Y. 88 figures represent budget program-previous years are actual expenditures

SUPREME COURT CASE INVENTORY AT LOWEST POINT SINCE 1974

The Supreme Court started the new year with only 361 cases pending, which was the lowest inventory of cases the court has had since 1974. In comparison, the court began last year with 478 cases pending, and in 1983 the court started the year with a caseload of 706. Thus, over a five year period the court has managed to reduce the inventory of cases almost by one half (48.9%).

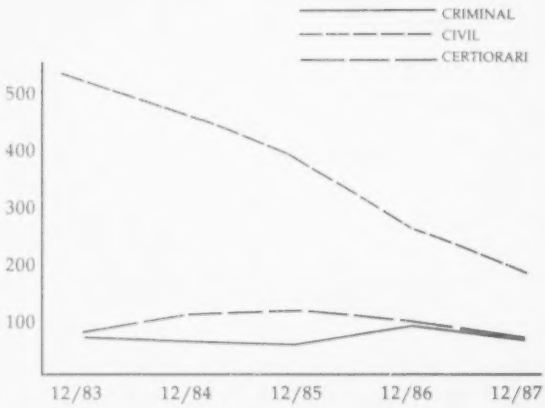
PENDING CASELOAD AT END OF YEAR



The category which has been most affected by the reduction has been civil appeals. This category includes appeals from Superior Court, domestic relations and custody/adoption appeals, as well as appeals from the Workers' Compensation Commission filed before legislation was passed changing the jurisdiction to petition by cert. At the beginning of 1983 there were 524 civil appeals pending, and at the beginning of this year the number was down to 194, a reduction of almost 63%. The reason that the inventory of civil appeals has dropped so dramatically has been a combination of lower filings and dispositions which have exceeded filings by an average of 30%.

Pending cases in the other major categories have also decreased. For example, at the end of 1985 there were 127 petitions for certiorari pending, and this year the number was down to 88. Filings in

PENDING CASELOAD BY TYPE OF CASE



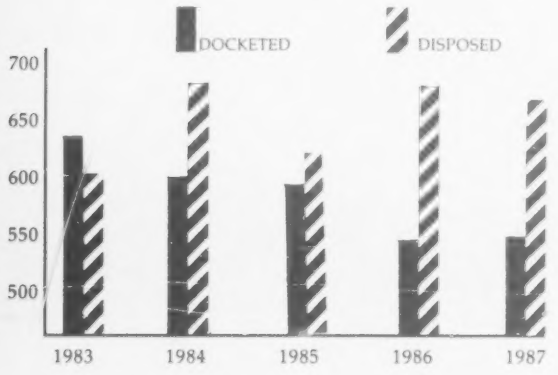
this category increased sharply in 1984 and 1985 following the change in the manner of appeal for Workers' Compensation cases, and initially dispositions did not keep pace with the increase. In 1985 filings totalled 196, an all-time high. However, in 1986 and 1987 new petitions for certiorari tapered off (135 petitions were filed in 1986 and 174 in 1987), and dispositions were higher than filings, which brought about a reduction in this category.

Pending criminal appeals were also lower at the start of the year. A year ago there were 101 cases pending in this category (which includes both juvenile and adult criminal cases), and as of January 1, 1988 the number was down to 70. The high number pending at the end of 1986 was due to increased filings (107) and a drop in dispositions (66) for the year. However, in 1987 filings remained at almost the same level (100 criminal appeals were filed), but dispositions doubled (from 66 to 132) resulting in a drop in pending cases.

Overall, the number of cases docketed in 1987 showed almost no change from 1986. New appeals totalled 555 for the year, which was just 3 more than in 1986. Despite this, filings were actually lower in every category except for petitions for certiorari, which made up the difference. There were 100 criminal appeals filed in 1987 compared to 107 in 1986, and civil

appeals totalled 238, down from 247 the year before. In contrast, petitions for certiorari rose from 135 to 174. The levelling off of new appeals in 1987 followed three consecutive years in which appeals dropped. Between 1983 and 1986 the total decline in docketed cases was 13%, from 634 new appeals to 552.

CASES DOCKETED VS. CASES DISPOSED



In 1987 dispositions exceeded filings by 112 or 120%. The number disposed for the year was 667 which was just 10 less than in the previous year. Of this total, 196 or 29% were disposed on the motion calendar and 170 or 27% were disposed after oral argument on the merits. The remainder were disposed before argument on the motion calendar, including 108 cases in which petitions for certiorari were denied by the court in conference.

The court made significant gains this year in reducing the time to disposition for appeals. The average time to disposition in 1983 was 14.4 months. It dropped to 13.1 in 1986, and this year it dropped again to 10.9 months. In addition, this year 39% of the cases were disposed in less than 6 months, 67% were disposed in less than a year, and the remaining 33% took more than a year.

The court began the new year with only 50 cases pending oral argument on the merits, enough cases to carry the court through April. This is an all-time low and contrasts sharply to the beginning of 1983 when there were 521 cases pending, the equivalent of 2½ years of cases for oral argument. In addition, the court began with 37 cases awaiting show cause hearing, which will be heard by the end of March.

COMMITTEE FORMED TO CONSIDER FUTURE OF RHODE ISLAND JUDICIAL SYSTEM

In February Chief Justice Fay appointed the Commission on the Future of the Rhode Island Judicial System. The commission is headed by Representative Jeffrey Teitz, Chair of the House Judiciary Committee. Dr. William T. O'Hara, President of Bryant College, serves as the vice chair. The commission's charge is to review the structure of the Rhode Island courts and determine if changes are needed to streamline the processing of cases. The commission is also charged with fostering interaction and cooperation between the three branches of government and between the judiciary and the public. The membership includes representatives from each court, the executive department, representatives of the legislature and members of the public.

The naming of the commission marks the first time in a number of years that there will be a comprehensive review of the judicial system by an outside body. The commission decided to focus on four areas in its first year. The areas are civil case management, the role of the courts in addressing the needs of victims, and enhancement of the public's understanding of the courts. The commission will be developing recommendations in these areas.

FRANK LICHT JUDICIAL COMPLEX DEDICATED

The Providence County Courthouse, which is one of the state's most prominent structures, has been renamed the Frank Licht Judicial Complex to honor

The Honorable Frank Licht

the former state senator, superior court justice and governor.

The courthouse dedication was held on March 22, 1987. It was a tribute to Governor Licht's many years of public service and was attended by hundreds of the former governor's family and friends, and by religious and civic dignitaries.

Governor Licht reflected on his appreciation of the commemorative day by saying that he knew of no honor that would be more meaningful than naming of the judicial complex after him.

Representatives of the legislative, judicial and executive branches of government, where Licht had so competently served, took satisfaction in being able to honor the man before he died on May 30, 1987.

BAR ADMISSION RULES REVISED

A new volume of the Rhode Island Court Rules has been published, replacing Volume 2B of the General Laws. This volume covers all state courts, new Rules of Evidence and Local Federal Rules. The Rules, no longer part of the General Laws, will be produced with a soft cover and updated every six months if necessary. A new volume will be republished every two years.

The Supreme Court made two significant changes in attorney admission rules. Rule 34, which allowed attorneys to waive in if they had five or more years of active practice in another state was repealed, and those attorneys must now take the Rhode Island essay portion of the examination. Rule 34 also increased the fee for admission to the bar to $500.00. Exam fees for first time applicants increased to $200.00 and reexaminations to $100.00 under Rule 35 changes. Also under this rule the 3,168 registered attorneys in Rhode Island saw their annual fee rise to $50.00 in 1987.

ETHICS ADVISORY PANEL FORMED

The Ethics Advisory Panel, which was established in December, 1986 to assist lawyers in complying with the Code of Professional Responsibility, became operational in February of this year. In response to a written request for advice, the panel will render an opinion interpreting the code. A lawyer following panel advice is conclusively presumed to have acted within the parameters of the Code of Professional Responsibility. Initially, the panel consisted of three members, but in response to an increasing number of requests for advice, the panel was enlarged by two additional appointments. The Chief Law Clerk acts as staff attorney and contact person.

Familiar faces to attorneys doing business in the clerk's office are Mike Cafferty, Brian Burns and Bev Clark.

The law clerk pool continues to provide the bench with a valuable resource.

LAW CLERK POOL RESPONDS TO INCREASED DEMANDS

There have been several initiatives this past year in the law clerk pool. The focus of these efforts has been on increasing the level of services available to the justices of the Superior, Family and District Courts.

Ms. Joan Bohl was hired as Chief Law Clerk in September 1987, marking the first time in its thirteen year history that the law clerk pool had a permanent chief. It is anticipated that the appointment of a permanent chief law clerk position will provide a greater degree of continuity, accountability, and uniformity in this very important resource section. Prior to assuming the position of Chief Law Clerk, Ms. Bohl worked as staff attorney in the Appellate Screening Unit of the Rhode Island Supreme Court.

1987 also saw the law clerk pool at its largest size ever. In October 1971, when the law clerk pool began as a federally funded pilot program, the staff consisted of five law clerks. In 1987 eleven law clerks plus a permanent chief law clerk brought the total to more than twice the size of that original group. The increase in clerks made it possible to tailor assignments more closely to judges' needs. For example, one clerk is now based in the Kent County Courthouse. Overall, the time law clerks spent serving the other county courthouses in 1987 doubled from 1986, reducing or eliminating any delay in carrying out judges' research requests.

UNIFORM RULES OF EVIDENCE ADOPTED

On July 23, 1987, the Rhode Island Supreme Court approved and adopted the proposed Rhode Island Rules of Evidence submitted by the Special Committee to Develop Uniform Rules of Evidence. The rules promulgated by the Supreme Court were made effective as of October 1, 1987. They govern all proceedings before the courts of this state and the Workers' Compensation Commission.

The final product was the result of six years of work by a committee chaired by Associate Justice Florence K. Murray of the Rhode Island Supreme Court. The committee was broadly representative of the legal community and included members of the judiciary and representatives of the Department of the Attorney General, the Public Defender's Office, the private bar and the General Assembly.

Professor Eric D. Green of the Boston University School of Law served as consultant to the committee. Attorney Bruce E. Vealey was staff attorney for the panel.

ELECTRONIC TELECONFERENCING PROVES SUCCESSFUL

The pre-briefing procedures, which were recently instituted by the Supreme Court, have continued to be highly regarded by all involved in the appellate process. As statistics show, dispositions have increased and the amount of time to disposition has decreased, leaving the court with a greatly reduced backlog. This year the court has sought other ways to improve the process, and an experiment in teleconferencing has been instituted. The use of the telephone to hold pre-briefing conferences was suggested and first attempted by Mrs. Justice Mur-

ray in December 1987. The experiment proved successful, and several teleconferences have been held since then.

Various members of the bar have expressed enthusiastic approval of teleconferencing and, as might be expected, attorneys from Woonsocket and Westerly seem particularly pleased to appear via the telephone rather than in person.

Although the same amount of preparation is necessary to prepare a case for conference, the time spent meeting with attorneys is greatly reduced. The conference justice does not have to spend time waiting for attorneys to keep scheduled appointments. As soon as the first case is completed, calls are placed to the next parties. All parties received notification by letter that they will be reached for a teleconference within a specified time period.

The teleconference will not replace face-to-face meetings in the Supreme Court. It is, however, a practical and convenient method to prevent cancellations, overcome scheduling conflicts and save valuable time.

N. Jameson Chace (4R) conducts his first meeting as chair of the Disciplinary Board.

DISCIPLINARY BOARD ADDS STAFF TO CUT COMPLAINT RESPONSE TIME

The court has continued to provide resources to enable the Disciplinary Board Office to be more responsive to client complaints. Unfortunately the number of complaints received has increased, reflecting the additional attorneys practicing law in Rhode Island.

In addition to computerizing the processing of attorney complaints, three new staff positions, Deputy Disciplinary Counsel, Investigator, and secretary were created to expedite the handling of grievances and again reduce processing time to 90 days. An increase in the Attorney Registration fee made the funding of the new positions possible. Another significant change was that all staff are now state employees.

Frank Carter Esq., Board Counsel, announced the election of N. Jameson Chace Esq., as chair, and the appointment of new board members Ralph P. Semonoff Esq., and Edward C. Clifton Esq.

COMMITTEE REPORTS FINDINGS ON GENDER BIAS IN THE COURTS

The Committee on Women in the Courts was appointed in late 1984 by then Chief Justice Joseph A. Bevilacqua. The Chief Justice's charge to the committee was to examine the extent of gender bias in the state courts and to recommend solutions to the problem.

The committee completed its study and submitted a final report to Chief Justice Fay in June 1987. The final report was the result of extensive data collection and included findings in the following seven areas:

1. gender bias in the court environment;
2. gender bias in employment within the courts;
3. gender bias in court decisions;
4. gender bias in the treatment of victims of domestic violence;
5. gender bias in the distribution of property and awarding of alimony at divorce;
6. gender bias in custody decisions and in the awarding and enforcement of child support;
7. gender bias in the treatment of juveniles charged with waywardness or delinquency or who are victims of dependency, neglect or abuse.

A total of thirty recommendations

were made in these areas along with a recommendation to establish an ongoing committee to assist in implementing the proposals and monitoring the results.

Other recommendations from the committee included the following actions:

1. Scheduling a judicial conference to present the report and to educate judges about the forms that gender bias takes, both subtle and blatant, and the adverse effect it has in the courts.

2. Issuing a policy statement by the Chief Justice condemning gender bias and the promulgation of guidelines for judges and court employees regarding appropriate behavior toward female litigants, witnesses, attorneys and employees.

3. Revising the Canons of Judicial Ethics and the Code of Professional Responsibility for Attorneys so that bias is expressly defined as unethical conduct.

4. Establishing panels of qualified attorneys who are available for court appointments.

5. Examining the effect of rehabilitative alimony.

The committee was able to carry out other recommendations during the course of the study. For example, legislation drafted by the committee was passed during the 1987 session. The legislation makes it possible for homemakers to recover monetary damages for the *value* of their homemaker services, even when other family members perform these services. In the area of domestic violence, the committee recommended that a review of the entire process be conducted from arrest to sentencing and new procedures be developed to meet the purposes of the law. Chief Justice Fay appointed a task force in the spring of 1987 to carry out these objectives.

Following the issuing of the report, the Chief Justice appointed a follow-up committee as recommended and issued policy guidelines to the judges.

The Rhode Island Committee on Women in the Courts was the third state task force to examine the problem of gender bias. The committee's work has been groundbreaking and has contributed significantly to the body of research which exists on the effect of gender bias.

Judge Pamela Macktaz and Representative Marion Donnelly lead a committee that reflects the court's commitment to curb domestic violence.

TASK FORCE ON DOMESTIC VIOLENCE ESTABLISHED

In recent years there has been an ever increasing demand placed upon the justice system to meet the needs of the victims of domestic violence. In an effort to study this complex legal and social area, Chief Justice Thomas F. Fay established the Domestic Violence Task Force. The task force, which was appointed in March 1987, is co-chaired by Associate Justice Pamela M. Macktaz of the Family Court and State Representative Marion Donnelly of Warwick. Twenty-two other individuals serve on this task force including the Attorney General, the High Sheriff, a District Court judge, a city prosecutor, six police chiefs, elected officials of the General Assembly, representatives from the Council on Domestic Violence, representatives from social service agencies working in this area and various other concerned individuals.

Chief Justice Fay's charge to the task force was to evaluate the present handling of domestic violence matters at all levels of the justice system and ensure that victims of this violence receive appropriate and sensitive treatment as well as adequate protection.

To evaluate the present system the task force sent questionnaires to Family and District Court judges and police chiefs. The task force also held a series of public hearings in Providence, Middletown, South Kingstown, Warwick, Woonsocket and Pawtucket to afford the

public the opportunity to share their experiences, concerns, and thoughts on this matter with the members of the task force.

Following analysis of that material the task force determined that the development of a comprehensive legislative package to address the needs in this area was the top priority. A subcommittee was established to develop the legislation. The task force plans to introduce the legislation in the 1988 General Assembly session and present its findings and recommendations to Chief Justice Fay by mid 1988.

APPELLATE SCREENING UNIT NOTES 12TH BIRTHDAY

The Appellate Screening Unit celebrated its twelfth year of operation this year. The unit's primary objective continues to be writing prehearing reports for the majority of cases heard by the Supreme Court on the full argument calendar. These reports include a detailed review of the record, independent legal research, and an analysis of the facts and the law in each case. They are intended to assist the justices in preparing for oral argument, and in addition, they can be used for reference during the opinion-writing stage. Another part of the attorney's work is to identify trends in the law and alert the court to recent cases that may have an impact on its decisions.

Also during 1987, the Screening Unit took a step into the computer age by initiating discussions with RIJSS about transferring the unit's topical legal index to the central computer system. The index, which contains references to all of the court's opinions, is an invaluable resource to the unit's staff attorneys. Computerization would make it more widely available to the rest of the court. The staff also worked on occasional special research projects for the court. Finally, as it has in the past, the staff recommended a small percentage of cases for the show-cause calendar.

ADMINISTRATIVE OFFICE OF STATE COURTS

WALTER J. KANE RETIRES AS STATE COURT ADMINISTRATOR

In December 1987, Walter J. Kane retired as State Court Administrator and as Clerk of the Supreme Court. He had served as State Court Administrator since 1969 when the position was created as part of the reorganization of the Rhode Island Court System. He was first appointed by Chief Justice Thomas J. Roberts, and he was reappointed by both Chief Justice Joseph A. Bevilacqua and Chief Justice Thomas F. Fay.

During his tenure as state court administrator the services provided by the office were greatly expanded. Currently, services include centralized personnel management, budget preparation, and financial administration. The office is also responsible for the automated information systems which support the various courts and for system wide planning and program development. In addition, the administrative office was the initiator

Walter J. Kane

of the projects to renovate three of the major judicial facilities and to construct two new facilities. Over $60 million will be spent on facility improvements by the time these projects are completed.

Mr. Kane was also instrumental in planning and implementing new procedures in the Supreme Court which dramatically increased the disposition rate and have eliminated the appellate backlog. At the present time, the Rhode Island Supreme Court is one of the most current appellate courts in the country.

Mr. Kane was also active in court administration on a national level. He served as Chair of the Conference of State Court Administrators and as chair of several national committees created to study various aspects of court management. In 1983 Mr. Kane was awarded the Distinguished Service Award by the National Center for State Courts in recognition of his efforts and accomplishments.

REORGANIZATION OF ADMINISTRATIVE OFFICE COMPLETED

The reorganization of the Administrative Office of the State Courts was completed in 1987. This reorganization began in 1986 with the division of most of the Administrative Office responsibilities into four distinct areas. An assistant administrator was assigned the responsibility of overseeing the operation of each area. The entire reorganization is intended to improve the court's administrative effectiveness and provide an organizational structure that will meet the new demands placed on this office.

During the final phase of the reorganization, three new positions were created. In May Ms. Gail Higgins Fogarty joined the staff as Legal Counsel. Ms. Fogarty had served as Counsel to the Committee on the Judiciary for the United States House of Representatives since 1975. She also served in the Washington, D.C. Public Defender's Office for five years prior to her position in the House of Representatives. Ms. Fogarty's responsibilities will include assisting in labor negotiations, the development of contracts, the drafting of legislation and other administrative law issues.

James Roberts, Gail Higgins Fogarty and Joseph Butler have been added to the administrative staff to assist in meeting the increasing demands placed on the office.

Mr. Joseph D. Butler was named the Associate Administrator of the State Courts in August. Mr. Butler served as Deputy Court Administrator of the Family Court from 1974 to 1985 and as Court Administrator from 1985 until assuming his new position in the Administrative Office. Mr. Butler will handle numerous administrative duties including the preparation of the annual budget for the court system, the monitoring of expenditures of the court system, the screening of requisitions for new equipment, supplies and services, and payment of vendors providing services to the court.

Mr. Butler also assumed a number of additional court fiscal responsibilities upon the retirement of Mr. John J. Manning in December. Mr. Manning had served as the court's Business Manager since September 1969.

The final new position to be filled under the reorganization was Director of Public Information. Mr. James J. Roberts assumed the post in August, after a twenty year career in the print, radio, and television media. Most recently he was news anchor and managing editor of an ABC-TV network affiliate. Prior to that he served as news director, anchor, reporter, and producer for ABC affiliates in Indiana, Rhode Island, and Connecticut and as a special correspondent to CBS Radio Network News. Mr. Roberts was also president of a public relations consulting firm.

Mr. Roberts will develop and implement a comprehensive, long-term, public relations master plan for the judiciary. His office will serve the courts by disseminating information to the media and by assisting judges and other court personnel with media relations support and guidance upon request. In addition, he will be developing a broad spectrum of printed materials, audio and video recordings and television programs to improve the public's understanding of the judicial branch of government.

SCHEDULING TECHNIQUES AID COURT EDUCATION PROGRAMS

With the objectives of reducing both expenses and time off the bench, system-wide judicial seminars in 1987 were scheduled for Friday afternoons and Saturday mornings in the Garrahy Judicial Complex. There were two judicial seminars held in 1987, and the topics for these were selected by an education committee representing the four state courts. One program dealt with the new rules of evidence that were promulgated in 1987. The lecturer was the Honorable Horace W. Gilmore of Wayne State University Law School who has been a member of the National Judicial College faculty for twenty years.

Responding to the increasing incidence of courtroom disruption from defendants, litigants, the public, and even attorneys, a June seminar included a program on the court's power of contempt. The judges heard from Virginia Supreme Court Justice Charles S. Russell who has lectured on this topic at the National Judicial College. A report on the work of the Bail Standards Committee was also part of this seminar.

As is traditional, the state court judges held their statutory Judicial Conference coincident to the State Bar Association's Annual Meeting with judges joining in on Bar education programs both as participants and presenters.

In the middle of the year a new Court Education Officer, Ms. Holly Hitchcock Furtado, was hired. Ms. Hitchcock is a resident of East Providence. She has a Master's Degree in Education and came to the courts from Bristol Community College where she was Director of Career Planning.

Ms. Hitchcock conducted the annual orientation and training session for the twenty-two new law clerks. In an effort to expand programs for court employees, she offered a series of seminars on general interest topics including: Effective Communications, Stress Management, and AIDS in the Workplace.

As has frequently occurred in the past, funds allocated to the court for education did not meet the needs identified for judicial education. To offset the shortfall, grants have been sought to supplement budgeted state funds. Money from the state Bar Foundation's IOLTA program financed production of an educational videotape and two grants, one from the National Council of Family and Juvenile Court Judges through the Family Court and one from the Governor's Highway Safety Office, will be used for future judicial conferences.

Lawyer trust fund interest (IOLTA) made possible the educational video that Associate Justice Weisberger (2L) receives from Attorney Edward Gnys, who acted in the historical play.

REHABILITATION OF COURT FACILITIES PROGRESSES

Licht Judicial Complex

During 1987 substantial progress was made in the second phase of renovations to the Licht Judicial Complex. During this

phase the 60-year-old steam heat system was replaced with a new heat, ventilation and air conditioning (HVAC) system. The new HVAC system provides individual and zoned temperature control to all areas of the building. This will be a welcomed change for all persons who have business with the court.

During the last quarter of the year twenty-two staff offices were refurbished. The offices were painted, and carpeting, acoustical ceilings, lighting, and new office furniture were installed in a continued effort to improve court facilities.

Also durir.g the last quarter, preliminary planning for Phase III renovations began. The program for Phase III includes the installation of new elevators, the upgrading of private and public lavatory facilities, and the redesign of some existing space. Also, total restoration of all the woodwork and marble is planned during this phase along with installation of new carpeting and draperies throughout the courthouse.

Kent County Courthouse

Improvements to the heat, ventilation and air conditioning (HVAC) system in the Kent County Courthouse were approved for funding by the State Asset Protection Committee. Design work is under way to provide an environmentally efficient HVAC system with completion of the work anticipated in 1988.

The interior of the courthouse received a much needed upgrading. All carpeted areas were replaced with new covering.

Washington County Courthouse

Ground was broken on November 20, 1987 for the new Washington County Courthouse. The proposed 43,000 square foot facility will replace the present courthouse which was constructed in the 1880's. According to the construction schedule, the building should be completed by October 1988.

Newport County Courthouse

The Department of Administration and the Public Buildings Authority have approved a proposal to rehabilitate the present Newport County Courthouse. A 5,000 square foot third floor will be added to the building. Construction will begin in 1988 and is scheduled for completion in 1989.

Security - Statewide

Ongoing efforts are being made to upgrade and enhance security methods and procedures whenever the need arises. In 1987, new state-of-the-art metal detectors were installed at all major court facilities. Also, plans are in effect to provide perimeter security to the new Washington County facility and to Newport County when renovations are completed.

BAIL GUIDELINES ARE PROMULGATED AND A PILOT BAIL INFORMATION PROJECT IS ESTABLISHED

On January 28, 1987 the Supreme Court adopted courtwide guidelines which are intended to promote greater uniformity among judges in the setting of bail. The guidelines were developed by a committee named by the Chief Justice and chaired by Supreme Court Associate Justice Thomas F. Kelleher. The membership of the committee included judges from each court and representatives of the Department of Attorney General, the Office of the Public Defender, and the private bar.

Under the guidelines, the following general principles for the setting of bail are set out: "The purpose of bail is to assure that the defendant will appear in court as required and will keep the peace and be of good behavior. Bail shall not be set in sums that are excessive and for the purpose of pre-trial punishment."

The guidelines presume that a defendant will be released on personal recognizance. To overcome this presumption it must be demonstrated either that this will not assure the defendant's appearance in court as required, or that the de-

fendant's unconditional release could pose a danger to the community. The guidelines further provide that, when personal recognizance is not sufficient, other conditions which are set must be the least restrictive possible. In addition, when judges set other conditions, they must give a written reason. Furthermore, the guidelines provide that the imposition of monetary conditions should be used only as a last resort.

Judges have given high marks to the new Bail Information Unit program. Staff members are Sonia Valencia, Judy Caprio, and Joan McHale.

The guidelines also set "caps" on the amount of bail that judges should set for defendants, taking into account the severity of the crime and the defendant's prior record. (The caps range from $1,000 surety or $100 cash for misdemeanor offenses to $50,000 surety or $5,000 cash for felonies carrying penalties of more than 20 years' imprisonment.) These caps cannot be exceeded unless the judge can show that special circumstances exist to do so.

In conjunction with the new bail guidelines, a Bail Information Unit was established by the Administrative Office of the Supreme Court. This unit is to provide information to judges at the setting of bail which would assist them in making a more informed decision.

The unit was funded primarily through a grant of $68,570 from the IOLTA (Interest On Lawyers Trust Accounts) program of the R.I. Bar Foundation. The IOLTA funding provided for two interviewers and an administrative assistant. The fourth position in the unit, the unit coordinator, was an existing state position.

The unit began operating in 1987 at the District Court level in the Sixth Division. In June the unit expanded to the other divisions of the District Court by conducting interviews at the Adult Correctional Institution of individuals who did not make bail at their initial appearance. In the fall the unit again increased its services to include Providence County Superior Court.

Defendants are referred to the unit by a judge whenever there is a question about the appropriate bail. The unit interviews the defendants to establish whether they have strong community ties, whether they are involved in some type of alcohol or drug treatment program, and whether they have outstanding warrants or a criminal record. To the extent possible, the unit verifies this information and then provides it to the judge with a recommendation on bail.

The unit also provides supervision to defendants on pre-trial release, if this condition is ordered by the judge. When such a condition is set, defendants are usually required to meet with a unit interviewer once a week.

During the first year of operation the unit has had approximately 500 defendants referred for interviews and has supervised about 100 defendants as a condition of their release.

The bail unit has been well received by the judges who have commented that the staff is "very professional" and provides an "excellent and needed service."

COURTS' COMPUTER SERVICES UPGRADE CONTINUES

The Rhode Island Judicial Systems and Sciences (RIJSS) expanded its capability in 1987 with the purchase of new equipment at a cost of $225,000 and the implementation of new programming projects. By acquiring four new disc and four additional tape drives, the courts' computer system memory was doubled. Eight personal computers were also purchased for the Office of the State Court Administrator and the Supreme Court. Other equip-

ment was purchased which enabled the system to enhance sign-on capability by 25% for all users.

Phase II of the Civil Information System enhancements was completed. This project involved a complete overhaul of the Civil Reporting Subsystem to provide complete control of reports by RIJSS and to reduce computer response time.

There were also substantial improvements to the PROMIS criminal system in the running of daily and special reports. Previously, criminal reports could not be finished even when they were run overnight. With the changes, reports are once again produced on a timely basis.

Other major accomplishments were a computer link to the American Bar Association dial-in computer service (ABANET) and the purchase of new equipment that will enable the courts to save over $17,000 annually in lease costs.

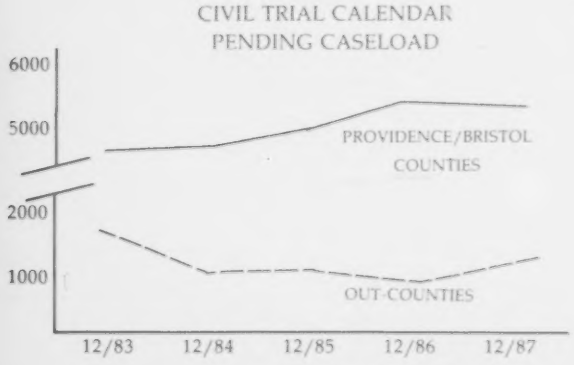
CENTRAL REGISTRY COMPUTERIZES RESTITUTION PAYMENTS

Victims of crime due restitution from offenders who pay through the Supreme Court's Central Registry are the beneficiaries of improvements to the collection system. This new feature to the computerized system allows checks to be automatically issued once the offender has paid $100.00 or more into a victim's account. Substituting automated check writing for the previous manual system shortens the time between collection from the offender and receipt by the victim. The computerized check writing program operated for the last two months of the year and disbursed 1,432 checks with a value of $193,127. The Central Registry disbursed a total of $729,538 in restitution in all of 1987.

SUPERIOR COURT

PROVIDENCE COUNTY CASELOAD REDUCED

The highlights of 1987 in Superior Court were a reduction of the criminal caseload in both Providence and Kent counties and a reduction of the civil caseload in Providence County.



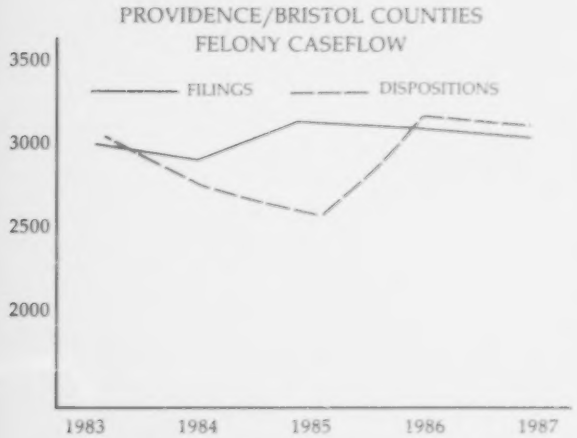
Overall the results for 1987 show that filings in Superior Court remained at about the same level as in 1986. Filings courtwide totalled 13,548 for the year, which was an increase of 59 cases or 1% over the number filed the previous year. However, there were fluctuations within the various case categories. For example, both felony and misdemeanor filings were lower this year compared to 1986. The number of felonies filed courtwide was 4,278 and the number of misdemeanors was 866. For felonies this was a drop of 82 cases from a year ago, but for misdemeanors it was a decrease of 296 cases. Misdemeanor filings were lower in 1987 than in any of the four previous years.

The drop in criminal filings was offset by an increase in civil filings. Courtwide there were 8,404 civil cases filed for the year, which was an increase of 537 over 1986. On the other hand, the number of civil cases added to the calendar, which is the real workload of the court, did not increase. The total added was 2,653, and compared to a year ago this was a drop of 85 cases.

In Providence/Bristol County the court disposed of more criminal and civil cases than were filed or added to the calendar. On the criminal side felony filings were slightly lower than in the past two years. The number filed was 3,020 as compared to 3,128 in 1986 and 3,195 in

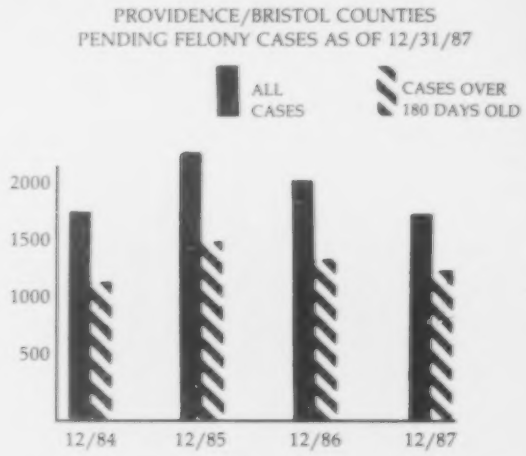
1985. Dispositions also dropped slightly compared to 1986, but they still were higher than the number filed. The number disposed was 3,102, which was 82 more than were filed.

Although there was a difference between filings and dispositions of 82 cases, the active felony caseload dropped this year by 245 cases, probably due to the number of warrants issued. At the beginning of the year there were 1,988 cases pending, and at the end the number stood at 1,643. In addition, there was a reduction in the number of cases over 180 days old compared to last year. Cases in this category dropped by 104, and at the end of the year the number pending over 180 days was 1,171.



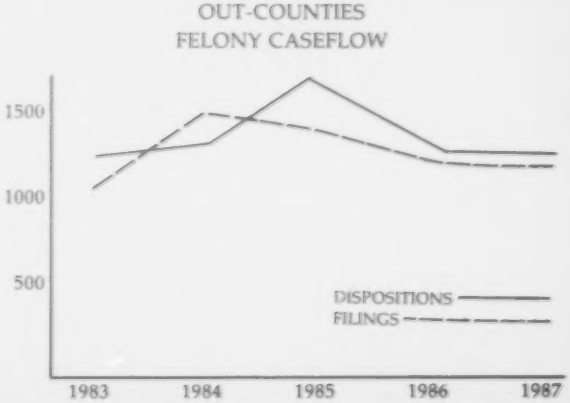
Despite a reduction in the number of cases over 180 days old, the older cases have become a larger percent of the pending caseload. Between 1984 and 1986 the cases over 180 days old consistently represented around 63% to 64% of the total, but this year they increased to 71.3%.

Out of the 3,102 criminal dispositions in Providence County, 97 cases or 3.7% were disposed by trial, 486 or 15.7% were dismissed, and 2,519 or 81.2% were disposed by plea. In this county the manner of disposition was a major factor in the time from filing to disposition. Of the cases disposed by plea or dismissal, 58.6% took less than 180 days. On the other hand, for cases disposed by trial, only 11.6% were handled within 180 days. For the majority of cases disposed by trial (54.7%), the time from filing to disposition was between 270 and 720 days. Approximately 22.1% of the cases took from 270 to 360 days, and 32.6% took from 361 to 720 days.



Misdemeanor filings were also lower than a year ago in Providence County. There were 471 misdemeanors filed as compared to 767 the year before. (Typically misdemeanor filings have fluctuated from year to year.) As with felonies, misdemeanor dispositions decreased compared to 1986, but they were higher than filings for the year. The number disposed was 508, 37 more than were filed. At the end of the year there were 427 misdemeanors pending, which was 51 less than the year before.

In contrast to criminal filings the number of cases filed on the civil side was higher this year. However, despite this, there were fewer cases added to the trial calendar. The number added was 1,883 as compared to 2,056 the year before.

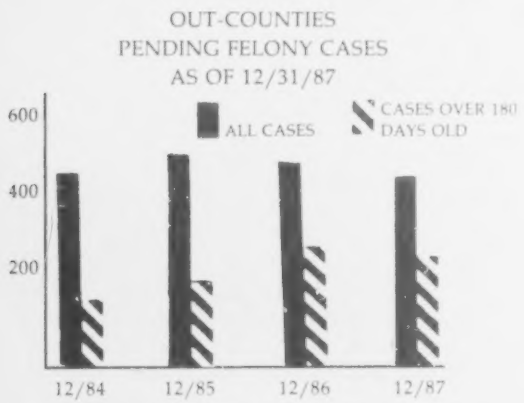


This year marked a turning point in terms of dispositions on the civil calen-

dar. For the first time since 1982, the court disposed of more cases than were added. The number disposed was 2,014, which was 131 more than were added. As a result, for the first time in six years there was a reduction in the civil cases pending trial. At the end of the year the number pending was 5,464.

The time to disposition for the majority of civil cases on the trial calendar (5[illegible]3%) was more than four years. Approximately 15.4% were disposed within 4 to 4½ years, 27.4% were disposed within 4½ to 5 years, and 8.5% took more than 5 years.

In the counties the results were varied. On the criminal side, felony filings for all of the counties were on a par with 1986. In 1986 there were 1,240 felonies filed, and this year the number was 1,258. Of



this total, there were 622 cases filed in Kent County, 397 in Washington County, and 239 cases in Newport County. For Kent this represented almost no change, but for Washington County it was a jump of 51 cases or almost 15%, and in Newport it was a decrease of 34 cases.

County by county the disposition results were as follows. In Kent there were 694 felonies disposed, which was 72 more than were filed. This was the second year in a row that dispositions have exceeded filings in Kent, and as a result there has been a significant reduction in the pending caseload. Two years ago there were 270 felonies pending, and at the end of 1987 the number was down to 92, a 67% reduction.

The same has occurred with misdemeanors, and in two years time the misdemeanor caseload has been reduced by almost one half in Kent County. The number of misdemeanors pending at the end of the year was 24.

Thus, the combined total of misdemeanors and felonies pending in Kent County at the end of the year was 116. Kent is second in filings, but at the end of the year it had the lowest number of pending criminal cases. Of this number, 33 cases, or roughly one third, were over 180 days old.

In Washington and Newport counties dispositions for both felonies and misdemeanors were lower than filings. In Washington County the number of felonies disposed (311) was higher than in 1986, but it was 86 less than were filed. The same was true of misdemeanors, but for this category there was a difference of only 13 cases between the number filed and disposed. Thus, there was an increase in pending cases, and at the end of the year the pending criminal caseload in Washington County totalled 277; 196 felonies and 81 misdemeanors. Of this total, 126 cases or about 45.5% were over 180 days old.

In Newport the number of felonies disposed was 185, which was lower than in any of the previous four years, and it was 54 less than the number filed. On the other hand, misdemeanor dispositions totalled 81, which was just 2 less than the number filed. The number of criminal cases pending at the end of the year was 230 (138 felonies and 92 misdemeanors) and of this number, 127 or 55.2% were over 180 days old. Thus, of the out-counties, Newport had the largest percentage of older cases.

On the civil side, Kent was the only county experiencing a large increase in cases added to the calendar. The number added in Kent was 446. This was an increase of 76 cases compared to last year, and it was higher than in any of the previous four years. In all three counties, civil dispositions on the calendar were below the number added, and as a result there was a jump in the pending caseload. A year ago there was a total of 905 cases pending in the counties, and at the end of this year the number was up to 1,262. Of this number, 589 were pending in Kent, 381 in Washington, and 292 in Newport.

SUPERIOR COURT ADDRESSES DELAY IN CRIMINAL AND CIVIL CASES

During the spring of 1987 the Superior Court made inroads in the number of criminal cases over a year old in Providence/Bristol County. This was done as a special project initiated jointly between the Chief Justice and the Presiding Justice. The project was managed by Associate Justice Dominic F. Cresto, who was in charge of the criminal trial calendar at the time. The project targeted criminal cases over a year old which met certain criteria. The cases selected involved non-capital offenses with single defendants. A listing of these cases was produced by PROMIS, the courts' criminal information system, which showed that there were a total of 787 cases pending in this category.

Associate Justice Cresto headed a project that reduced delay in many Superior Court cases.

To assist in disposing of these cases two judges from the District Court were temporarily assigned to Superior Court.

The project was considered a success even though the two District Court judges were not able to assist on a full time basis as planned. According to the results, a total of 293 cases were disposed out of the group (37%), and another 58 cases were removed from the trial pool (7.3%) due to the issuance of warrants for defendants who failed to appear. In addition, during the period from April to June, the court's monthly dispositions averaged 334 cases, while in the previous seven months the average was 251 cases.

The impact of the project on the pending caseload was substantial. The total number of felony cases dropped from 2,049 at the end of March to 1,796 at the end of June, a decrease of 253 (12.3%). The older cases showed an even higher percentage decrease. The number pending in this category dropped from 1,252 to 1,045, which was a drop of 16.5%

As a further step to eliminate delays in criminal cases, Presiding Justice Anthony A. Giannini engaged the technical assistance of an outside consultant during the summer of 1987. The consultant studied a proposed revamping of the criminal calendar system that had been recommended by the Public Defender, the Attorney General, and members of the private defense bar. Shortly afterwards, in a unanimous opinion, the Rhode Island Supreme Court mandated that changes be implemented in the criminal calendar system that had been in effect since 1978. It is anticipated that the recommendations of the consultant will be finalized in early 1988 and that new procedures will be instituted shortly thereafter to comply with the Supreme Court's mandate.

On the civil side, changes have also been initiated on the trial calendar to streamline the process and to promote settlements before the time of trial. The changes required a revision to the Presiding Justice's administrative order establishing the procedure for calendar calls and status conferences. The new system was developed as a cooperative effort between the Superior Court Civil Bench Bar Committee, the managing judge on the civil trial calendar, and the judges assisting on the trial calendar. Some of the features of the new system include reducing the number of times attorneys must appear in court for calendar calls, requiring the attorneys who will try the case to meet with the managing judge in preparation for trial and adhering to the policy that once a case is sent to a trial judge there will be no further settlement discussions.

The new procedures were implemented in September 1987, and as a result in the last four months of the year there was a significant increase in dispositions on the calendar. The number

jumped to an average of 225 cases disposed per month for this period, and at the end of the year dispositions exceeded the number of cases added to the calendar by 145. This was the first time since 1982 that there was a reduction in the civil cases pending trial in Providence County.

SUPERIOR COURT ADMINISTRATIVE OFFICE RESTRUCTURED

The Administrative Office of the Superior Court has been in existence since 1952, and the organizational structure had never been revised.

In March 1987, Presiding Justice Anthony A. Giannini completed a survey of the functions and effectiveness of the administrative staff as structured, and as a result, proposed a reorganization that would greatly improve its administrative effectiveness and ensure greater accountability.

The plan, as approved, divided the Administrative Office into three major units, Human Resources and Finance, Policy and Programs, and Security and Operations. It also provided for three new middle level positions with more clearly defined duties and responsibilities in each area and more direct supervision over the forty-seven employees of the Administrative Office.

The first major organizational revision in 25 years occurred in 1987 as the Superior Court Administrative Office adjusted to additional responsibilities.

The reorganization created eight new positions while abolishing seven. In addition, it involved title changes and the upgrading of five positions.

The reorganization will strengthen calendar and caseflow management within the Superior Court. It will also improve the court's management of its budget and personnel, and services such as security and public relations will be enhanced.

The Honorable Melanie Wilk Famiglietti

MELANIE WILK FAMIGLIETTI APPOINTED TO SUPERIOR COURT

Melanie Wilk Famiglietti was sworn in as an Associate Justice of the Superior Court on February 20, 1987. Justice Famiglietti is a native of Central Falls. She is a Phi Beta Kappa graduate of Trinity College and received her law degree from Suffolk University in 1978. She served as a prosecutor in the Office of the Attorney General and later headed the civil and appellate divisions. Prior to her appointment to the bench, she was in private practice for two years.

She is a member of the Judicial Education Committee and the Rhode Island Trial Judges Association.

Kent County becomes the first to go on line with its automated accounting system. All county registry offices are expected to be fully computerized within 2 years.

AUTOMATION AND TRAINING HIGHLIGHT CHIEF SUPERVISORY CLERK'S REVIEW OF 1987

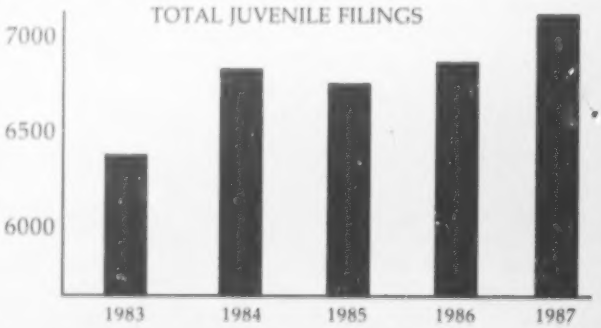
The Kent County Superior Court Registry provided the pilot program for the automation of accounting functions that will eventually be incorporated in all counties of the Superior Court. Since January 1987, all collections previously entered manually in ledgers have been transferred to computer functions. These include payments to the Violent Crimes Indemnity Fund and the Probation and Parole special account as well as the collection of fines, costs, highway and medical assessments, and various court fees. Individual tracking and scrutiny of each account is now easily and quickly accomplished. In addition, registry bank balances are also computerized and earning the best possible interest rate available for particular accounts. Telephone transfers are utilized eliminating the necessity of time consuming trips to bank offices. At the end of the year, registry functions were being back-loaded in Providence/Bristol County with the expectation of being on-line in early 1988. Newport and Washington counties are also programmed to be fully automated and functional in 1988.

Advances in training of personnel were targeted as a major goal for the year and resulted in the publishing of three procedural guides. The guides provide the basis for an on-going training program in administration, courtroom, and registry procedures. Coordinating this effort with the State Court Administrator's Employee Relations section, training teams were established to exchange knowledge and ideas between registry personnel. It is intended that this training program will expand to the out-counties as required.

FAMILY COURT

FAMILY COURT ADJUSTS TO LARGER CASELOAD

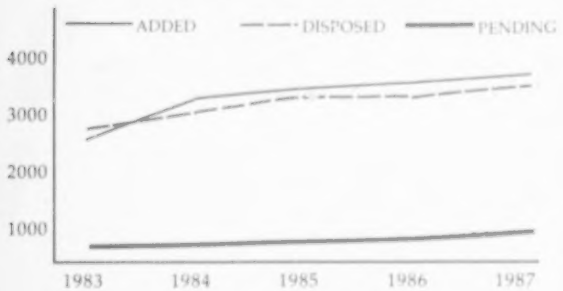
The results for 1987 show that on the juvenile side there was a slight increase in filings compared to last year. The total number filed was 6,963, which was 178 or 2.6% more than a year ago. The two major categories which make up the juvenile caseload, wayward/delinquent and dependency/neglect/abuse, were responsible for the increase. Wayward/delinquent referrals totalled 5,151, which was 216 above the total for 1986. In addition, this was the first time since 1982 that wayward/delinquent filings have exceeded 5,000. The number filed in the dependency/neglect/abuse category was 697, which was 31 more than in 1986. The other major category is termination of parental rights, and in this area filings were lower in 1987 than in any of the four previous years. The total number filed was 204, and compared to 1983 this was a drop of 61% or 125 cases.



Of the 6,963 juvenile cases filed, 3,447 (roughly 50%) were referred to the trial calendar. This again was a small increase (54 cases) compared to the number referred a year ago. However, compared to 1983 the juvenile trial workload has risen by 811 cases or 30.7%.

Dispositions on the trial calendar were also higher in 1987. There were 3,425 cases disposed this year compared to 3,336 in 1986. The number disposed was just slightly less than the number added (22 cases) and represented a disposition rate for cases on the trial calendar of 99%, which was comparable to the results of the past four years. Between 1983 and 1986 dispositions ranged from 97.6% to 100% of the cases added to the calendar.

JUVENILE TRIAL CALENDAR RESULTS

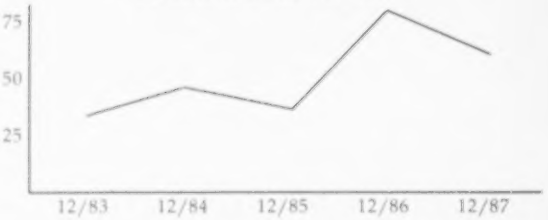


Because dispositions fell below added cases, there was an increase this year in the pending juvenile caseload. As of January 1, 1988 the number of pending juvenile trials was 494. This was only a 5% growth compared to 1986, but over the past four years there has been an incremental increase each year, and as a result the total increase for the five year period has been almost 57% (179 cases).

Despite a larger caseload, the court has continued to dispose of cases in a timely fashion, and at the beginning of 1988 there were fewer juvenile cases over 90 days old than a year ago. In January, 1987 the number of wayward/delinquent cases exceeding the 90 day guideline was 75, whereas this year it was 58. Likewise, the number of civil cases pending over 90 days totalled 75 a year ago, and this year it was down to 52.

At the same time, there was a small increase in the average time to disposition for wayward/delinquent cases. In both 1985 and 1986 the average time was approximately 74 days, but this year it rose to 78 days.

WAYWARD/DELINQUENT CASES
PENDING OVER 90 DAYS



The results on the domestic side show that divorce filings were almost at the same level as in 1986. The number filed this year was 4,904, and a year ago it was 4,926. In fact, divorce filings have been fairly constant over the five year period and have fluctuated by only 5%. On the other hand, the contested divorce caseload has grown by 20% between 1984 and 1987 (1983 figures are not available). In 1984 there were 802 cases added to the contested calendar, and this past year the total was 970.

Dispositions for contested cases have also increased, but for three years in succession they have fallen short of the number added to the calendar. This past year the number disposed was 908, which was 62 less than the number added, giving a disposition rate for the year of 93.6%.

CONTESTED DIVORCE
CALENDAR RESULTS

Due to the gap between the number of cases added to the contested calendar and the number disposed, the pending caseload has increased each of the past three years. The total pending as of the beginning of the year was 690, which is an increase of 210 cases or 43.7% in the

three year period.

The court has continued to monitor the aging of the cases so that even though the number pending on the calendar has risen by over 40% since 1984, the percent of cases over 180 days old and over a year old has risen at a lower rate.

The court's highest priority, the contested cases over a year old, increased in number from 20 to 35 between 1986 and 1987. However, this was less than were pending in this age category in 1983 (there were 59 cases), and it represents only 5% of the total caseload.

At the end of the year there were 196 contested cases which were over 180 days old. This was a slight increase compared to last year (23 cases). However, as a percent of the caseload this category has remained fairly constant. In 1983 the cases over 180 days old were 30% of the total, and at the end of 1987 they were 28%.

A final category which has grown dramatically has been filings for temporary restraining orders. In 1987 there were 2,310 filings of this type, which is more than a 235% increase since 1984. That year there were 981 filings for restraining orders.

The Honorable Jeremiah S. Jeremiah, Jr.

ASSOCIATE JUSTICE JEREMIAH S. JEREMIAH, JR. NAMED CHIEF JUDGE OF THE FAMILY COURT

On March 13, 1987, Associate Justice Jeremiah S. Jeremiah, Jr. became the fourth Chief Judge of the Family Court, filling the vacancy created by the retirement of Chief Judge William R. Goldberg. Chief Judge Jeremiah had served as an Associate Justice in the Family Court since March, 1986.

Chief Judge Jeremiah is a 1957 graduate of Boston University and received his law degree from Boston University School of Law in 1960. Chief Judge Jeremiah served as a law clerk to former Supreme Court Associate Justice Thomas Paolino and was in private practice for twenty-three years. He also served the City of Cranston as an Assistant City Solicitor for seventeen (17) years and as City Solicitor for six (6) years. In addition, the new Chief Judge served as Governor DiPrete's Legal Counsel from 1984 to 1985.

JUVENILE AND FAMILY SERVICES DEPARTMENTS EXPAND ROLES

The Juvenile Services Department and Family Services Department expanded their roles during 1987 in an effort to better serve the youth and families of Rhode Island.

The Juvenile Services Department is responsible for screening all wayward and delinquent petitions (excluding emergencies) that are referred to the Family Court. In screening these petitions this department interviews, counsels, supervises, and refers to community agencies a number of these youth and their families in an effort to keep them from being assigned to the court calendar. In 1987 4,342 cases were screened by this department and 2,311 were handled non-judicially.

In June 1987, the staff from this department participated in a five day mediation training program. This formalized mediation approach is now being used in the non-judicial handling of a number of petitions. This mediation consists of three sessions with the juvenile and the family, and is intended to provide an open and non-threatening environment in which to deal with specific family issues in the

hope of resolving them in the best interest of the family.

Chief Intake Supervisor Dolores Murphy (R) discusses mediation procedures with staff member Frances O'Donnell

The Family Services Department offers family and alcohol counseling to people seeking assistance. In addition, this department provides investigations in regard to child support, custody matters and other matters handled by the court. In 1987 this department completed approximately 670 investigations and was involved in counseling services with almost 400 cases.

During 1987 this department also expanded its role to include supervising visitation in custody dispute cases. Specialized training was offered to the counselors and investigators in an effort to help them provide this service. The department hopes to establish a more structured program in 1988 and possibly use specially trained volunteers to augment the department's personnel.

CHILD SUPPORT GUIDELINES ADOPTED

The adoption of child support guidelines has been another initiative of the Family Court to increase child support. By federal mandate, all states were required to adopt child support formulas by October 1987. The guidelines which have been promulgated in Rhode Island were developed as a joint effort by the Legislative Commission on Child Support Enforcement and the Family Court Bench-Bar Committee.

The guidelines are based on a model developed by the National Center for State Courts and are "predicated on the concept that the child should receive the same proportion of parental income that he or she would have received if the parents lived together."

According to the administrative order under which the guidelines were promulgated, Administrative Order no. 87-2, a worksheet must be completed and filed in all cases, thus promoting the award of some support in all cases.

The order also explains that the guidelines are intended to be a floor or minimum, and not a ceiling or cap, in arriving at a child support amount.

Administrative Order 87-2 went into effect October 1, 1987. It applies to all child support orders issued or modified by the court after that date, including temporary orders, final orders and orders entered by agreement of the parties.

The Honorable Michael B. Forte

MICHAEL B. FORTE APPOINTED TO THE FAMILY COURT

On March 25, 1987, Governor DiPrete appointed Michael B. Forte as an Associate Justice of the Family Court. Judge Forte is a 1974 graduate of the University of Rhode Island and received his law degree from Franklin Pierce Law Center in 1977.

Judge Forte has practiced law in Rhode

Island since 1977 and served as a Senator from District 47 from 1983 until his appointment. In the Senate, Judge Forte served as the Deputy Majority Leader, Vice Chairperson of the Senate Judiciary Committee, Chairperson of the Medical Malpractice Commission, and as a member of the Special Legislation Committee and the Joint Committee on the Environment. In addition to his law practice and Senate positions, Judge Forte has served as the tax assessor and town solicitor for Little Compton.

OFFICE OF COURT APPOINTED SPECIAL ADVOCATE RECEIVES 1987 AWARD

The Court Appointed Special Advocate Program (CASA) in the Family Court recruits and trains volunteer advocates. The volunteer advocates (VCASAs) conduct independent investigations into the factors leading to a child's removal from his/her biological home and also monitor case progress through the Family Court and child welfare system.

In 1987 the CASA program was presented the "Meritorious Service to the Children of America" award by the National Council of Juvenile and Family Court Judges. Ms. Mary Lisi, director of the CASA program and outgoing President of the National CASA Association, accepted the award at the National Council's annual conference in July.

Ms. Lisi, CASA Director since November 1982, will accept a new position in 1988 as Deputy Disciplinary Counsel. Mr. Francis B. Brown, a CASA staff attorney, has been selected as her replacement.

In 1987 715 new petitions were referred to the CASA program and the office currently represents 2,096 children. There were also fifty-five new volunteer advocates trained during the year increasing the number of active CASA volunteers to one hundred and sixty-six. In the spring of 1987 thirteen of these advocates were honored for five years of service to the project. In addition, the CASA Volunteer Association sponsored two conferences in 1987 for the volunteers. The conferences dealt with child sexual abuse and the hospital's role in child abuse cases.

Earl J. Croft, Jr.

EARL J. CROFT, JR. NAMED FAMILY COURT ADMINISTRATOR/ CHIEF CLERK

Earl J. Croft, Jr. was appointed Court Administrator and Chief Clerk of the Family Court by Chief Judge Jeremiah S. Jeremiah, Jr. on September 14, 1987. Mr. Croft filled the vacancy created by Mr. Joseph D. Butler who became Associate State Court Administrator.

Mr. Croft graduated from LaSalle Academy in 1946 and Bryant College in 1950. After two years of military service, Mr. Croft worked in both private industry and state government prior to his appointment as the Director of Personnel for the City of Cranston in 1963. He served in that capacity until 1985 when he was appointed by Governor DiPrete as the Associate Director of Administration/Human Resources, a position he held until his appointment in the Family Court.

The Honorable Raymond E. Shawcross

RAYMOND E. SHAWCROSS APPOINTED TO THE FAMILY COURT

On February 6, 1987, Raymond E. Shawcross was sworn in as an Associate Justice of the Family Court. Judge Shawcross graduated from Providence College in 1968 and received his law degree in 1973 from Suffolk University Law School.

Judge Shawcross served as Legal Counsel to Child Welfare Services from 1974 to 1978, Child Legal Counsel to the Department of Social and Rehabilitative Services from 1978 to 1980 and as Legal Counsel to the House Majority Leader from 1980 to 1987. Prior to his appointment to the bench, Judge Shawcross served on the Family Court Bench Bar Committee, served on the Children's Code Commission, was the Legal Counsel of the Task Force to create the Department of Children and Their Families and served on the Commission on Child Kidnapping.

Judge Shawcross filled the vacancy that was created in 1986 when Associate Justice Thomas F. Fay was sworn in as the 55th Chief Justice of the Supreme Court.

CHILD SUPPORT COLLECTIONS CONTINUE TO INCREASE

Family Court collections of child support increased by 17% during 1987. This dramatic improvement in collections is a direct result of state and federal legislation enacted during the past five years. During that period collections have gone up by almost 80%. The following figures depict the increase in collections from calendar year 1983 to calendar year 1987:

1983	$ 7,782,311
1984	$ 8,910,343
1985	$10,140,017
1986	$11,957,881
1987	$13,972,921

The federal government offers 70% reimbursement for court services directly related to the collection and enforcement of child support. Items that qualify for reimbursement include salaries, fringe benefits, telephone charges, and computer cost. The federal government reimbursed the general fund of the state $577,455 in calendar year 1987 for these services. The court billed the federal government an additional $188,970 for indirect cost involved in this process. This represents a percentage of costs for administrative services provided by the Family Court, State Court Administrator's Office and certain executive department agencies such as Personnel, Budget and Accounts and Control.

DISTRICT COURT

DISTRICT COURT WORKLOAD INCREASES IN 1987

1987 was another year of expansion for the District Court. The total number of cases filed was 80,155. This was a 4.6% increase compared to 1986, and it was the highest number of filings since 1974 just prior to the removal of traffic offenses from the court's jurisdiction.

MISDEMEANOR AND VIOLATION FILINGS BY DIVISION

	1984	1985	1986	1987
1st	1255	1196	1220	1340
2nd	3656	3405	3690	3903
3rd	5713	5899	6164	6746
4th	4285	4798	4840	5322
5th	3248	3624	3789	3737
6th	5883	6693	6735	6760
7th	2461	2779	2804	2813
8th	3612	4042	4097	4287

The increase extended to three of the four major categories of cases handled by the District Court. The largest growth was in felony filings, even though Superior Court experienced a drop in felony filings this year. The number filed in this category was 10,071. This was a 22% jump in one year (filings in 1986 totalled 8,233), and in fact, it was an all-time record for felony filings.

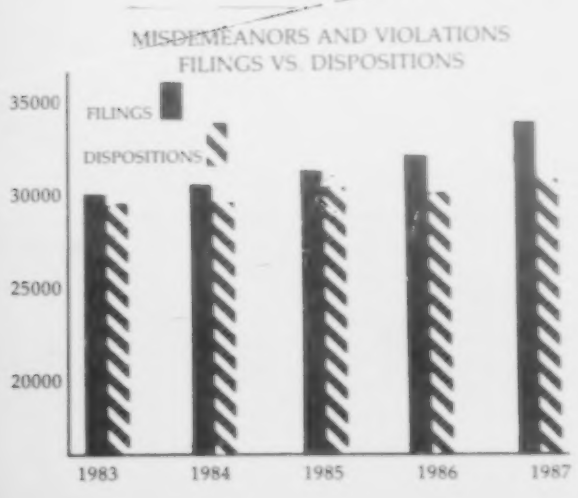
The area experiencing the second greatest rate of growth was small claims. Small claims totalled 14,055 in 1987. This was 1,401, or 11% more claims than in 1986, and again marked a record number of filings.

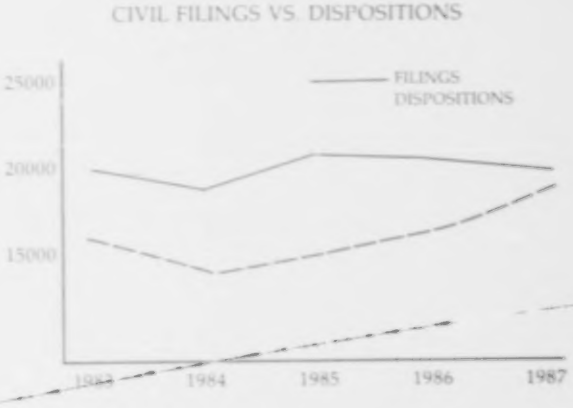
Misdemeanors were the third area which had higher filings last year. The number of misdemeanors filed was 34,908, which was 1,569 or 4.7% more than in 1986.

The increase in misdemeanor filings was not evenly distributed among the various divisions of the District Court. There were three divisions which had at least a 10% jump in filings this year. They were the first, the third and the fourth divisions, and in the third division filings rose to the same level as in the sixth. In two divisions, the sixth and the seventh, misdemeanor filings showed no change between 1986 and 1987, and in the fifth division they showed a slight decline. The number of misdemeanors filed in this division in 1986 was 3,789, and in 1987 it was 3,737.

The only major category which did not have an increase was regular civil filings. A year ago there were 21,116 cases filed of this type, and this year the number dropped to 19,899.

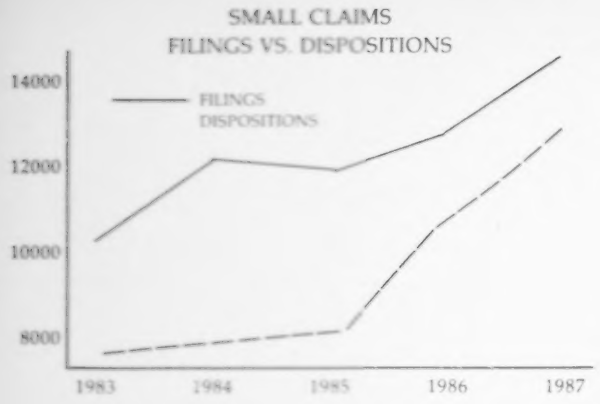
The other case categories handled by the District Court include administrative appeals and abuse cases. This year agency appeals dropped by almost 40% due to a more expeditious handling of these cases. A year ago 517 appeals were filed, and this year the number dropped to 318.





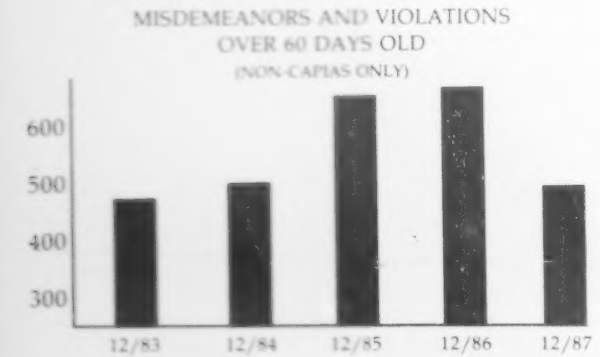
On the other hand, the District Court gained jurisdiction over certain types of domestic abuse cases, and this year domestic abuse filings increased from 316 to 533.

Despite an influx of cases and the assignment of two judges to Superior Court for most of the year, the District Court succeeded in increasing dispositions in all areas. In fact, on the civil side dispositions reached an all-time high. The number of civil cases disposed was 31,455, including 19,030 regular civil cases and 12,425 small claims. In addition to this, there were another 4,971 civil cases disposed by blanket dismissal based on the age of the case.



In comparison to last year, dispositions for regular civil cases increased by 4,601 and compared to five years ago they increased by 8,202. For this category the disposition rate for the year was 95.6%, which was a dramatic jump from last year's rate of 77.5%. For small claims the rate was 88.4%, up from 82.9% in 1986. The disposition rate for small claims in the previous three years varied from 64.4% to 67%.

Misdemeanor dispositions also rose in 1987. The number disposed was 31,756. This was an increase of 1,521 compared to 1986, and it was the highest number disposed in the five year period. The disposition rate for the year was 90.9%, which was on a par with the rate for 1986 (90.7%). However, even though during the three previous years the number of misdemeanor cases disposed was lower than in 1987, the rate of dispositions was higher and ranged between 94.7% and 96.4%.



The District Court also made strides in the last three months of the year in reducing the number of misdemeanors pending more than 60 days. The number of cases in this category at the end of the year was 472, down from 693 at the end of September. Thus, in three months the District Court was able to reduce the misdemeanor backlog by 221 cases or 31.8%. In fact, 472 is the lowest the misdemeanor backlog has been in almost three years. At the end of last year the number of misdemeanors over 60 days old was 647, and two years ago it was 635.

The Honorable Albert E. DeRobbio

ALBERT E. DeROBBIO NEW DISTRICT COURT CHIEF JUDGE

On February 2, 1987, the Honorable Albert E. DeRobbio of Cranston was sworn in as the second Chief Judge of the Rhode Island District Court since the 1969 reorganization. He filled the vacancy create by the death of Chief Judge Henry E. Laliberte on June 13, 1986. A graduate of Boston College and the Boston University Law School, Chief Judge DeRobbio was admitted to the Rhode Island Bar in 1956. He was Assistant Attorney General in charge of the criminal division before being appointed an Associate Judge of the District Court in 1976. In 1979 he was appointed an Associate Justice of the Superior Court where he served until his appointment as Chief Judge.

The Honorable Patricia D. Moore

PATRICIA D. MOORE FILLS VACANCY ON DISTRICT COURT BENCH

On February 6, 1987, Attorney Patricia D. Moore was sworn in by Governor Edward D. DiPrete as an Associate Judge of the District Court. Judge Moore filled the vacancy left by the retirement of Judge Charles F. Trumpetto. Judge Moore is a graduate of Wellesley College and the University of Connecticut Law School.

A member of the Rhode Island Bar since 1979, Judge Moore's practice was primarily in Family Law. She is the second woman judge in the history of the District Court.

ADMINISTRATIVE OFFICE REORGANIZATION ANNOUNCED

In December 1987, Chief Judge DeRobbio announced a reorganization of the District Court Administrative Office. As part of the reorganization, two new positions were created, Administrator and Deputy Administrator. Attorney Joseph P. Ippolito, Jr. of Warwick was named District Court Administrator. He is a graduate of Tufts University and the Suffolk University Law School and was admitted to the Rhode Island Bar in 1980. After serving as a law clerk to U.S. Magistrate Jacob Hagopian, he was employed as an Assistant in the Department of the Attorney General from 1980 to 1987.

Patricia I. Dankievitch of Portsmouth was named Deputy Administrator. Ms. Dankievitch had been Principal Auditor for the court since 1985. Prior to joining the court, Ms. Dankievitch had been employed for 8 years by the State Bureau of Audits. She is a graduate of Roger Williams College.

Chief Judge Albert E. DeRobbio (C) reviews his agenda with newly appointed District Court administrators Joseph P. Ippolito, Jr. and Patricia I. Dankievitch.

The Chief Judge also named Joseph Senerchia as Administrative Clerk. Mr. Senerchia has been with the court since 1969.

CREDIT CARD PAYMENT SYSTEM INTRODUCED

In April 1987, the District Court introduced a system by which defendants may pay their fines or court costs (or post their bail) by charging it to a major credit card. The system is called Comcheck, and it is operated by the District Court in conjunction with the Comdata Network Company of Nashville, Tennessee. The system is operated by court personnel through terminals located in each Division. The purpose of the project is twofold, to provide a convenience to the public and to make collections easier for the court. The system is operated at no cost to the court and is funded by a small fee that is added to the amount charged.

ACKNOWLEDGEMENTS

Charles F. Trumpetto

The Honorable Charles F. Trumpetto retired from the District Court bench on January 5, 1987 after thirty years as a District Court judge. Judge Trumpetto assumed the role of acting Chief Judge in the interim between the death of Chief Judge Henry E. Laliberte in June, 1986 and the appointment of the present Chief Judge, Albert E. DeRobbio, in December 1986. Judge Trumpetto's long and illustrious career is reflected by his membership in numerous civic, business and religious organizations serving in many responsible capacities.

Chief Judge William R. Goldberg

In February 1987, Chief Judge William R. Goldberg retired from the Family Court. Chief Judge Goldberg was appointed to the Family Court bench on August 22, 1968. He served as an Associate Justice for sixteen years until his appointment as Chief Judge on February 14, 1986.

Prior to becoming an Associate Justice, Chief Judge Goldberg was a probate judge for the City of Pawtucket for twelve years. He has served as past president of the Rhode Island and Pawtucket Bar Association and has been an active member of the American Bar Association.

Clifford J. Cawley, Jr.

Superior Court Associate Justice Clifford J. Cawley, Jr. retired August 10, 1987. Prior to his appointment to the bench in December 1976, Judge Cawley had served as city solicitor of East Providence and as State Director of Labor. He also served in the General Assembly for ten years.

Eugene F. Cochran

Associate Justice Eugene F. Cochran retired from the Superior Court on August 10, 1987. He is a decorated World War II Navy veteran and a graduate of Boston University Law School. He was elected as a state representative from Providence in 1955, and he served as deputy majority leader prior to his appointment to the Superior Court on June 24, 1968.

Orist D. Chaharyn

Associate Judge Orist D. Chaharyn retired from the District Court on December 11, 1987. Judge Chaharyn began his public service as a councilman in Woonsocket in the early 1950's, and after sixteen years as a state representative was appointed to the District Court bench in 1969. Judge Chaharyn is also a retired reserve Lieutenant Colonel and served in the Air Force during World War II.

Eugene G. Gallant

The Honorable Eugene G. Gallant was appointed as an Associate Justice of the Superior Court on July 26, 1968 and retired on December 18, 1987. Judge Gallant was an officer in the R.I. National Guard. He served from 1948 to 1980 and attained the rank of Major General when he retired in 1980. He first served on the bench in 1958 and for 10 years was clerk and acting judge of the Fourth Division District Court.

1987 COURT DIRECTORY

SUPREME COURT

THOMAS F. FAY, Chief Justice
THOMAS F. KELLEHER, Associate Justice
JOSEPH R. WEISBERGER, Associate Justice
FLORENCE K. MURRAY, Associate Justice
DONALD F. SHEA, Associate Justice

SUPERIOR COURT

ANTHONY A. GIANNINI, Presiding Justice
JOHN E. ORTON, III, Associate Justice
THOMAS H. NEEDHAM, Associate Justice
JOHN P. BOURCIER, Associate Justice
JOSEPH F. RODGERS, JR., Associate Justice
CORINNE P. GRANDE, Associate Justice
DOMINIC F. CRESTO, Associate Justice
ANTONIO S. ALMEIDA, Associate Justice
FRANCIS M. KIELY, Associate Justice
PAUL P. PEDERZANI, JR., Associate Justice
THOMAS J. CALDARONE, JR., Associate Justice
ALICE BRIDGET GIBNEY, Associate Justice
RICHARD J. ISRAEL, Associate Justice
AMERICO CAMPANELLA, Associate Justice
ROBERT D. KRAUSE, Associate Justice
MELANIE WILK FAMIGLIETTI, Associate Justice

FAMILY COURT

JEREMIAH S. JEREMIAH, JR., Chief Judge
EDWARD V. HEALEY, JR., Associate Justice
CARMINE R. DiPETRILLO, Associate Justice
JOHN K. NAJARIAN, Associate Justice
ROBERT G. CROUCHLEY, Associate Justice
JOSEPH S. GENDRON, Associate Justice
HAIGANUSH R. BEDROSIAN, Associate Justice
JOHN E. FUYAT, JR., Associate Justice
PAMELA M. MACKTAZ, Associate Justice
RAYMOND E. SHAWCROSS, Associate Justice
MICHAEL B. FORTE, Associate Justice
JOHN J. O'BRIEN, JR., General Master

DISTRICT COURT

ALBERT E. DeROBBIO, Chief Judge
PAUL J. DELNERO, Associate Judge
ANTHONY J. DENNIS, Associate Judge
VICTOR J. BERETTA, Associate Judge
VINCENT A. RAGOSTA, Associate Judge
JOHN J. CAPPELLI, Associate Judge
MICHAEL A. HIGGINS, Associate Judge
ALTON W. WILEY, Associate Judge
FRANCIS J. DARIGAN, JR., Associate Judge
ROBERT K. PIRRAGLIA, Associate Judge
ANTONIO SAO BENTO, JR., Associate Judge
PATRICIA D. MOORE, Associate Judge

ADMINISTRATIVE PERSONNEL

SUPREME COURT

250 Benefit Street, Providence, RI

Matthew J. Smith, Administrator State Courts/Clerk	277-3272
Ronald A. Tutalo, Administrative Asst. to Chief Justice	277-3073
Gail Higgins Fogarty Legal Counsel	277-3266
Brian B. Burns, Chief Deputy Clerk	277-3272
Kendall F. Svengalis, State Law Librarian	277-3275
Martha Newcomb, Chief Appellate Screening Unit	277-3297
Susan R. Pelosi, Staff Attorney Settlement Conference	277-3241
Joan C. Bohl, Staff Attorney Law Clerks Pool	277-6536

ADMINISTRATIVE OFFICE

Robert C. Harrall, Deputy Administrator, State Courts	277-3266
Joseph D. Butler, Associate Administrator, State Courts	277-3266
Edward J. Plunkett, Jr., Executive Director, Rhode Island Judicial Systems & Sciences (RIJSS)	277-3358
James J. Roberts, Director, Office of Public Information	277-3266
Susan W. McCalmont, Assistant Administrator for Policy and Programs	277-2500
Robert E. Johnson, Assistant Administrator for Facilities and Operations	277-2600
William A. Melone, Assistant Administrator for Human and Financial Resources	277-2700
Holly Hitchcock, Court Education Officer	277-2700
Linda D. Bonaccorsi, Employee Relations Officer	277-2700
Frank A. Ciccone, E.E.O. Officer	277-3965
Central Registry	277-2084

JUDICIAL COUNCIL

1025 Fleet National Bank
Providence, RI 02903
Girard R. Visconti, Chairman 331-3800

DISCIPLINARY BOARD

250 Benefit Street, Providence, RI 02903
N. Jameson Chace, Chairman
Frank A. Carter, Jr.
Disciplinary Counsel 277-3270
Mary M. Lisi, Deputy
Disciplinary Counsel 277-3270

SUPERIOR COURT

250 Benefit Street, Providence, RI

John J. Hogan, Administrator 277-3215
Alice M. Macintosh, Chief
Supervisory Clerk 277-2622
Richard J. Cedor, Clerk 277-3220
Alfred Travers, Jr.
Jury Commissioner 277-3245
Evelyn A. Keene, Assistant
Administrator for Human
and Financial Resources 277-3215
Kathleen A. Maher, Assistant
Administrator for Policy
and Programs 277-3288
Bonnie L. Williamson,
Manager of Calendar Services 277-3602
Thomas P. McGann, Security
& Operations Manager 277-3292

KENT COUNTY

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222 Quaker Lane
West Warwick, RI 02893

Raymond D. Gallogly, Associate
Jury Commissioner 822-0400
222 Quaker Lane
West Warwick, RI 02893

Thomas G. Healey, Manager of
Calendar Services 277-6645
(outcounties)
222 Quaker Lane
West Warwick, RI 02893

WASHINGTON COUNTY

Diane L. Seemann, Clerk 783-5441
1693 Kingstown Road
West Kingston, RI 02892

NEWPORT COUNTY

Glenn E. Nippert, Clerk 846-5556
Washington Square
Newport, RI 02840

FAMILY COURT

1 Dorrance Plaza, Providence, RI

Earl J. Croft, Jr., Administrator/
Clerk 277-3334
Anthony T. Panichas, Deputy
Administrator/Clerk 277-3331
Dolores M. Murphy, Chief Intake
Supervisor (Juvenile) 277-3345
Barbara Rogers, Chief Family
Counselor 277-3504
William Aliferakis, Supervising
Clerk of Collections 277-3356
John Colafrancesco, Jr. Supervisory
Accountant 277-3300
Mary A. McKenna, Fiscal
Officer 277-6684
George J. Salome, Chief Deputy
Clerk (Domestic Relations) 277-3340
Janet Diano, Principal
Deputy Clerk (Juvenile) 277-3352
Francis B. Brown, CASA/GAL
Director 277-6863

KENT COUNTY

Joyce C. Dube, Supervisory
Deputy Clerk 822-1600
222 Quaker Lane
West Warwick, RI 02893

NEWPORT COUNTY

Frances H. Sanita, Supervisory
Deputy Clerk 847-1158
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Newport, RI 02840

WASHINGTON COUNTY

Richard J. Loud, Supervisory
Deputy Clerk 596-5843
Union and Broad Street
Westerly, RI 02891

DISTRICT COURT

One Dorrance Plaza
Providence, RI 02903

Joseph P. Ippolito, Esq.
Administrator 277-6777
Patricia I. Dankievitch, Deputy
Administrator 277-6960
Jerome Smith, Chief Clerk 277-6703
Joseph Senerchia, Administrative
Clerk 277-6777

FIRST DIVISION

Cynthia C. Clegg, Supervising
Deputy Clerk 245-7977
516 Main Street
Warren, RI 02885

SECOND DIVISION

Washington Square 846-6500
Newport, RI 02840

THIRD DIVISION

James A. Signorelli, Supervising Deputy Clerk — 822-1771
222 Quaker Lane
West Warwick, RI 02893

FOURTH DIVISION

Rosemary T. Cantley, Supervising Deputy Clerk — 783-3328
1693 Kingstown Road
West Kingston, RI 02892

FIFTH DIVISION

Alice Albuquerque, Supervising Deputy Clerk (Acting) — 722-1024
145 Roosevelt Avenue
Pawtucket, RI 02865

SIXTH DIVISION

Kevin M. Spina, Principal Deputy Clerk — 277-6710
One Dorrance Plaza
Providence, RI 02903

SEVENTH DIVISION

Donald L. St. Pierre, Supervising Deputy Clerk — 762-2700
24 Front Street
Woonsocket, RI 02895

EIGHTH DIVISION

Martha J. Cerra, Supervisory Deputy Clerk — 944-5550
275 Atwood Avenue
Cranston, RI 02920

CASELOAD STATISTICS

RHODE ISLAND SUPREME COURT

APPELLATE CASEFLOW

CASE TYPES	1983	1984	1985	1986	1987
CRIMINAL					
Added	103	91	84	107	108
Disposed	117	107	84	71	120
Pending	82	65	60	102	92
CIVIL					
Added	391	349	283	237	215
Disposed	340	399	339	379	282
Pending	519	465	385	266	205
CERTIORARI					
Added	122	129	177	155	169
Disposed	120	112	162	172	181
Pending	87	104	117	103	92
OTHER					
Added	45	43	47	51	50
Disposed	42	47	43	49	60
Pending	16	12	15	16	4
ALL CASES					
Added	661	612	591	550	542
Disposed	619	665	628	671	643
Pending	704	646	577	487	393

DISPOSITION DETAIL

MANNER AND STAGE OF DISPOSITION	1983	1984	1985	1986	1987
BEFORE ARGUMENT					
Withdrawn	109	91	95	77	71
Dismissed	105	102	86	81	80
Petition Granted	5	8	5	3	6
Petition Denied	77	83	109	141	116
Other	11	65	5	4	10
TOTAL	307	290	300	306	283
AFTER ARGUMENT ON THE MOTION CALENDAR					
Withdrawn	5	4	*	2	0
Affirmed	86	143	107	147	134
Modified	2	*	*	0	0
Reversed	18	16	12	12	16
16G Affirmed	9	12	*	2	0
Other	10	14	16	25	22
TOTAL	130	189	135	188	172
AFTER ARGUMENT ON THE MERITS					
Withdrawn	4	4	1	2	1
Affirmed	115	102	121	129	120
Modified	13	13	15	10	6
Reversed	50	67	56	36	54
Other	*	*	*	0	*
TOTAL	182	186	193	177	181
TOTAL DISPOSITIONS	619	665	628	671	636
AVERAGE TIME TO DISPOSITION	13.9 mos.	14.7 mos.	13.7 mos.	13.03 mos.	11.6 mos.
MEDIAN TIME TO DISPOSITION	8.9 mos.	10.4 mos.	9.4 mos.	10.3 mos.	9.6 mos.

RHODE ISLAND SUPERIOR COURT

CRIMINAL CASEFLOW

FELONIES	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Cases Filed	2,997	2,898	3,195	3,128	3,020
Cases Disposed	3,107	2,788	2,671	3,181	3,102
Caseload Increase/Decrease	-110	+ 110	+ 524	-53	-82
Total Pending Cases	*	1,647	2,237	1,988	1,643
Cases Over 180 Days Old	*	1,049	1,418	1,275	1,171
% Over 180 Days Old	*	(63.7%)	(63.4%)	(64.1%)	(71.3%)
KENT					
Cases Filed	648	697	909	613	622
Cases Disposed	438	768	841	677	694
Caseload Increase/Decrease	+ 210	-71	+ 68	-64	-72
Total Pending Cases	*	273	270	201	92
Cases Over 180 Days Old	*	110	106	105	31
% Over 180 Days Old	*	(40.3%)	(39.2%)	(52.2%)	(33.7%)
WASHINGTON					
Cases Filed	363	355	370	346	397
Cases Disposed	508	323	273	221	311
Caseload Increase/Decrease	-145	+ 32	+ 97	+ 125	+ 86
Total Pending Cases	*	80	135	160	196
Cases Over 180 Days Old	*	25	52	77	94
% Over 180 Days Old	*	(31.3%)	(38.5%)	(48.1%)	(48.0%)
NEWPORT					
Cases Filed	224	315	306	273	239
Cases Disposed	192	425	289	297	185
Caseload Increase/Decrease	+ 32	-110	+ 17	-24	+ 54
Total Pending Cases	*	88	96	130	138
Cases Over 180 Days Old	*	9	18	62	96
% Over 180 Days Old	*	(10.2%)	(18.7%)	(47.6%)	(69.6%)
STATEWIDE					
Cases Filed	4,232	4,265	4,780	4,360	4,278
Cases Disposed	4,245	4,304	4,074	4,376	4,292
Caseload Increase/Decrease	-13	-39	+ 706	-16	-14
Total Pending Cases	*	2,088	2,738	2,479	2,069
Cases Over 180 Days Old	*	1,193	1,594	1,519	1,392
% Over 180 Days Old	*	(57.1%)	(58.2%)	(61.2%)	(67.3%)

CRIMINAL CASEFLOW (cont.)

MISDEMEANORS	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Cases Filed	394	538	486	767	471
Cases Disposed	440	422	407	601	508
Caseload Increase/Decrease	-46	+ 116	+ 79	+ 166	-37
Total Pending Cases	*	413	477	478	427
Cases Over 180 Days Old	*	214	340	209	252
% Over 180 Days Old	*	(51.8%)	(71.3%)	(43.7%)	(59%)
KENT					
Cases Filed	190	180	255	176	192
Cases Disposed	119	167	177	268	223
Caseload Increase/Decrease	+ 71	+ 13	+ 78	-92	-31
Total Pending Cases	*	78	97	57	24
Cases Over 180 Days Old	*	34	50	19	2
% Over 180 Days Old	*	(43.6%)	(51.5%)	(33.3%)	(8.3%)
WASHINGTON					
Cases Filed	151	86	96	158	120
Cases Disposed	223	72	80	77	107
Caseload Increase/Decrease	-72	+ 14	+ 16	+ 81	+ 13
Total Pending Cases	*	17	21	87	81
Cases Over 180 Days Old	*	3	8	30	32
% Over 180 Days Old	*	(17.6%)	(38.1%)	(34.4%)	(39.5%)
NEWPORT					
Cases Filed	299	199	93	61	83
Cases Disposed	63	415	167	82	81
Caseload Increase/Decrease	+ 236	-216	-74	-21	+ 2
Total Pending Cases	*	124	43	49	92
Cases Over 180 Days Old	*	28	4	9	31
% Over 180 Days Old	*	(22.6%)	(9.3%)	(18.3%)	(33.7%)
STATEWIDE					
Cases Filed	1,034	1,003	930	1,162	866
Cases Disposed	845	1,076	831	1,028	919
Caseload Increase/Decrease	+ 189	-73	+ 99	+ 134	-53
Total Pending Cases	*	632	638	671	468
Cases Over 180 Days Old	*	279	402	267	257
% Over 180 Days Old	*	(44.1%)	(63%)	(39.7%)	(55.0%)

MANNER OF DISPOSITION

FELONIES	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Plea	2,530	2,355	2,120	2,532	2,447
Filed					72
Dismissal	488	360	436	552	482
Trial	89	73	115	97	97
Other					4
Total	3,107	2,788	2,671	3,181	3,102
KENT					
Plea	367	685	761	494	599
Filed					5
Dismissal	57	71	70	148	60
Trial	14	12	10	35	29
Other					1
Total	438	768	841	677	694
WASHINGTON					
Plea	433	295	242	178	276
Filed					2
Dismissal	62	22	26	33	29
Trial	13	6	5	10	2
Other					2
Total	508	323	273	221	311
NEWPORT					
Plea	166	367	231	264	151
Filed					2
Dismissal	25	45	49	28	22
Trial	1	13	9	5	9
Other					1
Total	192	425	289	297	185
STATEWIDE					
Plea	3,496	3,702	3,354	3,468	3,473
Filed					81
Dismissal	632	498	581	761	593
Trial	117	104	139	147	137
Other					8
Total	4,245	4,304	4,074	4,376	4,292

MANNER OF DISPOSITION (cont.)

MISDEMEANORS	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Plea	260	311	303	439	259
Filed					51
Dismissal	130	100	96	127	159
Trial	50	11	8	40	18
Other					21
Total	440	422	407	601	608
KENT					
Plea	89	112	129	187	152
Filed					14
Dismissal	26	48	45	68	24
Trial	4	7	3	13	14
Other					19
Total	119	167	177	268	223
WASHINGTON					
Plea	161	49	54	54	66
Filed					7
Dismissal	55	11	24	20	19
Trial	7	12	2	3	3
Other					12
Total	223	72	80	77	107
NEWPORT					
Plea	50	283	152	52	49
Filed					7
Dismissal	11	130	13	25	16
Trial	2	2	2	5	7
Other					2
Total	63	415	167	82	81
STATEWIDE					
Plea	560	755	638	732	526
Filed					79
Dismissal	222	289	178	240	218
Trial	63	32	15	61	42
Other					54
Total	845	1,076	831	1,028	919

CIVIL CASEFLOW

CIVIL ACTIONS	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Total Cases Filed	5,351	5,156	5,653	5,598	5,751
Trial Calendar Summary					
Cases Added	2,179	1,895	2,196	2,056	1,883
Cases Disposed	2,053	1,846	1,653	1,665	2,014
Caseload Increase/Decrease	+ 126	+ 49	+ 543	+ 391	-131
Pending at Year End	4,638	4,687	5,222	5,605	5,464
KENT					
Total Cases Filed	943	969	963	1,154	1,375
Trial Calendar Summary					
Cases Added	406	320	364	370	446
Cases Disposed	241	455	514	530	251
Caseload Increase/Decrease	+ 165	-135	-150	-160	+ 195
Pending at Year End	923	788	678	394	589
WASHINGTON					
Total Cases Filed	444	580	555	601	672
Trial Calendar Summary					
Cases Added	283	204	199	178	162
Cases Disposed	194	346	130	86	69
Caseload Increase/Decrease	+ 89	-142	+ 69	+ 92	+ 93
Pending at Year End	377	133	193	288	381
NEWPORT					
Total Cases Filed	501	589	561	509	607
Trial Calendar Summary					
Cases Added	159	160	159	134	162
Cases Disposed	87	208	114	67	61
Caseload Increase/Decrease	+ 72	-48	+ 45	+ 67	+ 101
Pending at Year End	290	164	219	224	292

CIVIL CASEFLOW (cont.)

STATEWIDE					
Total Cases Filed	7,239	7,294	7,732	7,867	8,404
Trial Calendar Summary					
Cases Added	3,027	2,579	2,918	2,738	2,653
Cases Disposed	2,575	2,855	2,411	2,348	2,395
Caseload Increase/Decrease	+ 452	-276	+ 507	+ 390	+ 258
Pending at Year End	6,228	5,772	6,312	6,511	6,717

MANNER OF DISPOSITION — TRIAL CALENDAR ONLY

CIVIL ACTIONS	1983	1984	1985	1986	1987
PROVIDENCE/BRISTOL					
Verdicts	116	91	80	66	76
Judicial Decisions	65	68	65	43	61
Total Trials	181	159	145	109	137
Dismissed/Settled/Other	1,872	1,687	1,508	1,371	1,877
Total Disposed	2,053	1,846	1,653	1,480	2,014
KENT					
Verdicts	9	34	31	18	16
Judicial Decisions	26	85	140	147	40
Total Trials	35	119	171	165	56
Dismissed/Settled/Other	206	336	343	365	195
Total Disposed	241	455	514	530	251
WASHINGTON					
Verdicts	5	12	7	1	0
Judicial Decisions	32	7	8	7	0
Total Trials	37	19	15	8	0
Dismissed/Settled/Other	157	327	115	82	69
Total Disposed	194	346	130	90	69
NEWPORT					
Verdicts	12	9	7	6	2
Judicial Decisions	19	40	11	13	11
Total Trials	31	49	18	19	13
Dismissed/Settled/Other	56	159	96	48	48
Total Disposed	87	208	114	67	61
STATEWIDE					
Verdicts	142	146	125	91	94
Judicial Decisions	142	200	224	210	112
Total Trials	284	346	349	301	206
Dismissed/Settled/Other	2,291	2,509	2,062	1,746	2,189
Total Disposed	2,575	2,855	2,411	2,047	2,395

JUVENILE CASEFLOW

JUVENILE FILINGS	1983	1984	1985	1986	1987
Wayward/Delinquent	4,373	4,731	4,611	4,935	5,151
Dependency/Neglect/Abuse	632	636	791	666	697
Termination of Parental Rights	329	259	262	217	204
Other	948	1,080	920	969	911
Total Filings	6,282	6,706	6,584	6,785	6,963
Total Dispositions	*	5,767	6,317	6,278	6,702
Caseload Increase/Decrease	*	+ 939	+ 267	+ 507	+ 261
JUVENILE TRIAL CALENDAR RESULTS					
Cases Added	2,636	3,107	3,377	3,393	3,447
Cases Disposed	2,705	3,032	3,352	3,336	3,425
Caseload Increase/Decrease	-69	+ 75	+ 25	+ 57	+ 22
Total Pending	315	390	415	472	494
Pending Wayward/Delinquent Cases Over 90 Days Old	32	40	32	75	58
Average Time to Disposition for Wayward/Delinquent Cases	61.3 days	66.3 days	73.9 days	73.7 days	77.8 days

DOMESTIC RELATIONS CASEFLOW

DIVORCE PETITIONS FILED	1983	1984	1985	1986	1987
Providence/Bristol	3,039	2,999	3,101	3,174	3,134
Kent	828	834	868	822	818
Newport	413	438	519	437	405
Washington	474	502	527	493	547
STATEWIDE TOTAL	4,754	4,773	5,015	4,926	4,904
CONTESTED DIVORCE CALENDAR RESULTS					
Cases Added	*	802	842	985	970
Cases Disposed	*	898	740	939	908
Caseload Increase/Decrease	*	-96	+ 102	+ 46	+ 62
Total Pending	576	480	582	628	690
Cases Pending Over 180 Days	164	149	204	173	196
Cases Pending Over 360 Days	59	10	31	20	35
Average Time to Disposition	*	226.4 days	225 days	215 days	236.1 days
ABUSE COMPLAINTS					
Cases Filed	*	981	1,487	1,985	2,310

RHODE ISLAND DISTRICT COURT

CRIMINAL CASEFLOW

MISDEMEANORS	1983	1984	1985	1986	1987
Cases Filed	29,720	30,114	32,436	33,339	34,908
Cases Disposed	28,651	28,461	30,721	30,235	31,756
Caseload Increase/Decrease	+1,069	+1,653	+1,715	+3,104	+3,152
Total Pending Cases	1,511	1,934	2,390	3,001	2,545
Cases Over 60 Days Old	471	480	635	647	472

MANNER OF DISPOSITION

MISDEMEANORS					
Pleas	17,180	16,006	17,311	17,205	16,957
Filed	3,592	3,494	3,874	3,774	4,932
Dismissed	5,783	6,837	7,263	7,129	8,036
Trials	652	623	577	547	477
Others	886	987	1,108	883	779
Cases Transferred	558	514	588	697	575
TOTAL	28,651	28,461	30,721	30,235	31,756
Cases Appealed	281	344	291	278	410
FELONIES					
Charges Filed	7,981	8,116	8,332	8,233	10,071
Charges Disposed	7,993	8,271	8,005	6,559	6,692
MANNER OF DISPOSITION					
Charged	4,472	4,831	4,837	4,056	4,241
Not Charged/Dismissed	3,521	3,440	3,168	2,503	2,451
TOTAL	7,993	8,271	8,005	6,559	6,692

CIVIL CASEFLOW

REGULAR CIVIL					
Cases Filed	19,758	18,759	21,396	21,116	19,899
Cases Disposed	16,040	13,688	14,723	16,770	19,030
MANNER OF DISPOSITION					
Defaults	9,609	7,754	8,274	9,020	9,283
Settlements	3,556	2,823	3,513	3,803	4,723
Judgments	2,783	3,031	2,915	3,840	5,025
Transfers	92	80	21	107	99
Other					4,971
TOTAL	16,040	13,688	14,723	16,770	24,101
Appeals	406	339	395	303	321
SMALL CLAIMS					
Cases Filed	10,850	12,087	11,997	12,654	14,055
Cases Disposed	7,213	7,791	8,038	10,491	12,425
MANNER OF DISPOSITION					
Defaults	4,143	4,531	4,962	6,383	6,602
Settlements	1,841	1,983	1,544	1,998	2,974
Judgments	1,229	1,277	1,532	2,310	3,149
TOTAL	7,213	7,791	8,038	10,491	12,425
Appeals	103	116	97	131	192